



**THE LAW OF UKRAINE**  
**On Inland Water Transport**

This Law establishes legal, economic, and organizational principles for inland water transport functioning and is targeted at establishment of favorable conditions for its development, meeting of the needs of citizens for accessible, quality, and safe transportation.

**Chapter I**  
**GENERAL PROVISIONS**

**Article 1. Definitions of Terms**

1. For the purposes of this Law, terms are used in the following meaning:

- 1). Emergency event – an event or sequence of events which occurred during vessel operation or in respect to its operation, and caused or could have caused person's death or disappearance from the vessel, personal injury, vessel loss, sinking or damage, abandonment of vessel by its crew, loss of navigability, stranding, damage to inland waterway hydraulic engineering facilities, environmental pollution;
- 2). Baggage – any item or vehicle transported by a carrier under a transport agreement (with the exception of those transported under agreements for carriage of goods, including, charter agreements and bills of lading, and also excluding live animals and baggage located in the passenger cabin, or otherwise being in his/her possession, under his/her protection or control) and verified by a baggage check;
- 3). Small vessel stationing base – specially equipped facility legally operated by an economic entity, including a yacht-club, marina, fishing industry fleet stationing site that provides, safekeeping services for small vessels and pleasure crafts, and other services for vessels and their crews (with the exception of sport craft stationing bases);
- 4). Sport craft stationing base – specially equipped facility operated by an economic entity that provides, among other things, safekeeping services exclusively for sport crafts and vessels intended for facilitation of sport events;
- 5). Tow boat – a vessel constructed specifically for towing, pushing, maneuvering operations;
- 6). Towing - moving of vessels, floating construction, and floating objects by a tow boat or another vessel with the use of a towrope;
- 7). Cargo waste - remains of any cargo on board in cargo bilges or tanks, which remain upon the loading, unloading, and cleaning procedures, including cargo residue;
- 8). Rowing vessel – a vessel without an engine moved by means of manpower only;
- 9). Setting out on a voyage – the exiting of a vessel (vessel convoy) outside the boundaries of the operational water area of berthing facility or departure from anchorage with intention

to reach another destination point (sea or river port, terminal, repair depot, etc.) or to go to a navigable channel;

- 10).**Waste (garbage) generated as a result of vessel operation - any waste generated in the course of operation and maintenance of a vessel, with the exception of cargo waste and household waste generated on board a vessel (household garbage);
- 11).**Vessel owner – a physical person or a legal entity exercising his/her rights with regard to vessels reserved to him/her, to which rights the rules about the right of ownership apply;
- 12).**Inland waterways – surface waters (with the exception of sea port water areas, navigable channels, and inland maritime waters) that under the established procedure are attributed by the Cabinet of Ministers of Ukraine to the category of navigable;
- 13).**Inland water transport – the type of transport comprised of vessels, economic entities that carry out and ensure transportation of cargo, passengers, and baggage and mail mainly by inland waterways, are used for the fishery industry, provide other services with the use of inland waterway vessels, ensure inland waterway navigation, maintain inland waterway infrastructure, provide navigational and hydrographic support for navigation;
- 14).**Water motorcycle - a type of self-propelled pleasure craft, a personal water craft with the length of up to and including 4 meters designed for sport activities or recreation, propelled by a water jet and stirred by a person located on its body, but not inside it;
- 15).**Navigable channel dimensions – depth, width, above-water height and bending radius of a navigable channel of inland water ways measured in meters;
- 16).**Guaranteed navigable channel dimensions – minimum navigable channel dimensions at design basis water level, as established in compliance with the legislation;
- 17).**Harmonized information services - services provided for the support of traffic control and of inland water transport management, including services for interaction with other types of transport. These services also include provision of information about the fairway, traffic information, traffic control, emergency prevention support, provision of information for traffic control, on the statistical services, and custom clearance services, as well as on taxes and dues for the use of the inland waterway infrastructure and for port dues;
- 18).**Inland waterway hydraulic engineering constructions – technical and engineering constructions (berths, quays, piers, other berthing facilities, dams, pier heads, wave cutters, other bank protection structures, navigable locks, inland waterway navigable channels, other artificial underwater constructions) intended to ensure safe navigation, maneuvering, moorage, construction, repair, maintenance, and inspection of vessels, protection of inland waterway shore line, berthing facility(-is) operational water area, business activity performed by inland water transport enterprises, use of water resource and prevention of harmful water impact;
- 19).**Soil - sediments (silty soils, sandy, rocky, clay, and/or their mixtures) that create the natural relief of an inland waterway riverbed or which were washed into its riverbed of this waterway due to the impact of natural and/or man-induced factors, and which are extracted in the process of dredging;
- 20).**Vessel length – the maximum vessel hull length, with the exception of the rudder and the bowsprit;
- 21).**Vessel crew – captain and other persons engaged on board a vessel in performance of their duties pertaining to the operation or maintenance of the vessel, or carry out other obligations on the vessel, who are listed in the vessel roll of this vessel;
- 22).**Operational dredging (repair scooping) - the works that pertain to clearance of consequences of sediment accumulation, extraction from soil of pumps located above the design level of the river bed on navigable waterways, operational water areas of berthing facilities, navigable channels from the soil, for the purpose of ensuring of the guaranteed, navigable, passport measurements of the navigable channel, operational water areas of berthing facilities, the navigable channel;

- 23).**Operating entity – an economic entity operating inland waterway hydraulic engineering constructions regardless of whether it owns the structure or operates it on other legal grounds;
- 24).**Recreational water crafts – floating devices without propulsion unit towed in any way (water skis, water sleds, “banana” water sleds, “inner tubes”, etc.), designed or intended for sliding on the water surface or for sport performances;
- 25).**Means of navigational equipment (aids to navigation) – special stationary shore-based structures, floating and stationary signaling and warning lights and signs, structures equipped with special technical devices and designed for vessel orientation, designation of inland waterway navigable channels and navigable fairways for the purpose of ensuring vessel navigation safety;
- 26).**Side-by-side formation – a vessel convoy (two or more) connected board to board, neither one of which vessels is located in front of the motor vessel that ensures movement for the group;
- 27).**Personal life-saving appliance – a device designed to keep any person overboard on the water surface;
- 28).**Foreign vessel – a vessel navigating under the flag of a foreign state;
- 29).**Inland water transport infrastructure – a set of facilities ensuring navigation by inland waterways which is comprised of inland waterway hydraulic engineering constructions, roadsteads, boat yards, vessel mooring sites, navigational equipment, hydrographical support means, river information service facilities, communication networks and constructions, alarm systems, information and navigation management systems, vessels and floating equipment designed for waterway engineering works, and other objects that ensure safe inland waterway navigation;
- 30).**Coastal voyage – a vessel’s voyage between Ukrainian ports (terminals) or destination points located on the territory of Ukraine that does not include performance of cargo operations, bunkering, replenishment of vessel stocks outside the boundaries of the territory of Ukraine;
- 31).**Captain – the person who carries out vessel control and command;
- 32).**Inland waterway vessel crew member qualification documents - documents issued according to their prescribed form which verify the appropriate level of professional competency necessary for safe work on an inland vessel;
- 33).**Classification society – a legal entity that issues, enforces, upholds and updates regularly its own classification rules (including technical requirements) regarding vessel design, construction, and inspection, publishes its register (registry) of classified vessels;
- 34).**Maximum vessel draught - the maximum vessel draught indicated in its vessel documents, which is established in compliance with the rules for vessel measurement;
- 35).**Small vessel – any vessel with the length of up to 20 meters (with the exception of passenger vessels; tow boats and tug boats designed for moving a vessel convoy comprised of vessels that are not small vessels, floating equipment, icebreakers, ferries, floating equipment of vessel lifeboats and rafts, sport crafts, water motorcycles, and recreational water crafts);
- 36).**International voyage - a voyage in the course of which at least the point of destination or the point of departure is situated outside the boundaries of the territory of Ukraine;
- 37).**Motor vessel – any type of vessel which is moved by its own propulsion unit, including a vessel moved by means of a sail and its propulsion unit located on board at the same time;
- 38).**Navigation season – a period during which navigation is carried out on the inland waterways or their separate sections;
- 39).**Navigational and hydrographical support of shipping – establishment of favorable navigation conditions for vessels by installation and proper maintenance of navigational equipment required according to vessel traffic intensity and level of potential danger; conducting hydrographic surveying, publishing, updating, and distribution of navigational and hydrographical information;

- 40). Oil-containing mixture – bilge water and oil-containing residue from vessel engine rooms, other water containing any amount of oil, originating from the vessel (with the exception of its cargo sections);
- 41). Operational water area of berthing facilities – an inland waterway hydraulic engineering structure (set of structures) directly adjacent to the berthing facilities designed for safe approach of vessels to the berthing facilities and departure from berthing facilities, vessels maneuvering during mooring operations, vessel maneuvering between berthing facilities, as well as for vessel anchorage;
- 42). Deck crew - members of the vessel crew who carry out on board the vessel any work pertaining to its navigation, loading, unloading and cargo shipping, transportation of passengers, mail, baggage, technical maintenance and repair of the vessel, means of communication operation and maintenance, occupational safety, waterway pollution prevention (with the exception of the crew members carrying out work that pertains exclusively to operation of engines, loading devices, electric and electronic equipment);
- 43). Passenger – any physical individual other than a crew member carried on board a vessel under a passenger transportation agreement;
- 44). Passenger vessel – a vessel designed and equipped to carry more than 12 passengers;
- 45). Carrier – an economic entity carrying out transportation of cargo, passengers, and their baggage, mail by inland vessels;
- 46). Approach channel – an inland waterway hydraulic engineering structure intended for safe vessel approaching to berthing facilities and locks;
- 47). Floating construction – any floating installation designed for stationary use afloat, including any parking vessel, floating berth, quay, pontoon, floating stage, workshop, dock, swimming pool, repair shed, hotel, public food service area, recreational facility, which as a rule is not intended for navigation;
- 48). Floating equipment – a vessel (floating installation) housing engineering mechanisms (cranes, dredging equipment, pile-drivers, or elevators);
- 49). Floating object – a raft or other structure, object, or device capable to navigate, other than vessel, floating equipment or floating construction;
- 50). Household waste generated on a vessel (household garbage) - organic or non-organic household waste that does not contain waste (garbage) generated as a result of the vessel operation;
- 51). Ferry – a vessel that carries out regular transportation of passengers on ferry lines, open and/or enclosed deck transportation of wheeled vehicles with fueled tanks and/or railway rolling stock with horizontal loading and unloading;
- 52). Service record book – a personal document, to which information on the labor activity of a crew member is entered, including electronically, in particular his/her navigation experience and voyages undertaken;
- 53). Berthing facility – an inland waterway hydraulic engineering construction (set of constructions) with moorage equipment and fenders intended for vessel anchorage, maintenance and repair, passenger servicing including their boarding and landing, and cargo handling operations;
- 54). Recreational sail vessel – a vessel moved only by means of a sail, including a vessel equipped with a propulsion unit which is not used in the course of moving;
- 55). Pleasure craft – a vessel with the length of up to 24 meters intended for sport or recreation, other than passenger vessel;
- 56). Design basis water level – the low navigable water level used for calculations;
- 57). Voyage – vessel journey from its point of departure to the point of its destination including journeys with no predetermined point of destination;
- 58). River information service – an agency that provides harmonized information services for safe and efficient functioning of inland water transport as well as other types of transport multimodal shipping;

- 59).** River vessel – vessel which, due to its technical characteristics is suitable and is duly permitted to be operated exclusively on identified zones of inland waterways;
- 60).** River port (terminal) – an economic entity of any ownership type lawfully using inland waterway infrastructure objects for anchorage and servicing of vessels within inland waterways, passenger servicing, cargo handling operations and other types of economic activity pertaining thereto;
- 61).** Vessel convoy - a group of (two or more) vessels connected together in a manner that prevents any one individual vessel from freedom of movement, which is propelled by one or several tug boats (pulled vessel convoy) or push boats (pushed vessel convoy);
- 62).** Sport craft – a motor, rowing or sail vessel used exclusively for sport activity and serviced by specially trained persons (crew) during its voyage;
- 63).** Crew member navigation time – the navigation time, measured in days, that a crew member spent on board a vessel during voyages and loading operations;
- 64).** Strategic objects of inland water transport infrastructure – the inland waterway navigable channels (with the exception of berthing facility approach channels and navigable channels of inland sea waters), navigable hydraulic engineering constructions, aids to navigation, and means of navigational and hydrographical support, state-owned river information service facilities;
- 65).** Vessel – a self-propelled or non-self-propelled floating transportation craft used for the following:  
 transportation of cargo, passengers, baggage and mail, fishery activity, natural resources exploration and extraction, search and rescue of people and vessels caught in emergency situation on water, towing, pushing or navigation of vessel convoys or floating objects, carrying out of search and rescue, engineering, hydraulic engineering, navigational and hydrographical activities, vessel and passenger servicing in river ports (terminals), salvage of sunken property;
- state oversight of navigation safety, water biodiversity and environmental protection;
  - recreation (leisure voyages, tourism, recreational fishing);
  - sport activities;
  - research, scientific and study, educational and cultural purposes;
- 66).** Inland navigation vessel – a river vessel or mixed-navigation vessel with the length of 20 meters or more, or a vessel the multiplication of the length, width and draught of which equals the volume of 100 cubic meters or more; tow boats and tug boats designed for moving such vessel convoys or floating equipment; as well as passenger vessels and floating equipment;
- 67).** Mixed navigation vessel – a vessel designed for operation on inland waterways and is suitable for limited operations on maritime waterways;
- 68).** Technical fleet vessel – a vessel designed and equipped to carry out engineering works (dredging shovel or suction dredger, mud barge, pontoon barge, pontoon, block-laying vessel, barge derrick, etc.);
- 69).** Vessel agent – a maritime agent or any other person, who undertakes to provide to the vessel holder and the vessel captain services pertaining to navigation on inland waterways, on the basis of an agency agreement;
- 70).** Vessel logbook – an official document for recording information on the voyages undertaken by an inland navigation vessel, floating equipment and their crew members and persons on board;
- 71)** Navigable channel (fairway) – a safe way to navigate within the inland waterway marked on the chart, and as necessary, with navigational signs (aids to navigation) also on site;
- 72).** Vessel waste water (household waste water) – sewage water from galleys, mess rooms, shower rooms, washstands, laundries, and toilet waste water;
- 73).** Vessel holder – an economic entity or a natural person operating a vessel on one’s own behalf regardless of whether he/she/it is the vessel owner or operates it on any other legal grounds;
- 74).** Boatmaster – a person who has the right to navigate a vessel, a water motorcycle;

- 75).** Navigation hydro engineering construction – navigation locks with upper and lower approach canals, dams, directing and anchoring constructions, outer harbor;
- 76).** Inland waterway navigable channel – a hydraulic engineering construction, an artificially created waterway, designed for safe vessel approach to river ports (terminals) or for vessel passage;
- 77).** Navigable bridge span (navigable span) – a bridge span designed for passage of floating devices;
- 78).** Navigable bridge movable span (movable span) – a bridge span with vertical elevation, pivoting, or expanding of the span construction (in part or in full) designed for passage of floating devices;
- 79).** navigable lock (lock) – water-retaining hydro engineering structure intended for vessel transfer from one pool into another;
- 80).** Navigation – an activity related to use of vessels on waterways;
- 81).** Territory of river port (terminal) – land plots (or their parts) within the lands of inland water transport, as well as artificially created (washed, poured or otherwise created by means of hydro engineering technologies) land plots lawfully used by the river port (terminal) and other economic entities for vessel anchoring and servicing; boarding, landing and servicing of passengers; cargo handling operations; transportation and forwarding as well as any other related economic activities;
- 82).** Ukrainian vessel – a vessel navigating under the State Flag of Ukraine;
- 83).** Mooring buoy – a floating construction installed on inland waterways outside of navigable channel designed for safe vessels moorage including during cargo processing and other operations;
- 84).** High-speed vessel – a motor vessel able to move at a speed of 40 kilometers per hour and higher in relation to water face;
- 85).** Vessel width – the maximum width of the vessel hull measured to the outermost edges of the outside casing of the hull (with the exception of the paddle wheels, fender bars, etc.);
- 86).** Engineering works – hydrographic sounding, dredging works, operational dredging (remedial activities, trawling, riverbed cleaning activities), recovery of sunken property, survey activities carried out within inland waterways for the purpose of maintenance of the guaranteed inland waterway navigable channel measurements aimed at ensuring navigation safety as well as activities pertaining to installation, maintenance and dismantling of navigational equipment on inland waterways;
- 87).** Push boat – a vessel specifically equipped to ensure navigation of another vessel, pushed vessel convoys;
- 88).** Anchoring berth – a hydro engineering construction located within the inland waterways outside the boundaries of navigable channel and intended for vessel anchoring.

## **Article 2. Scope of Application of the Law**

- 1.** This Law regulates relations in the area of inland water transport, use of vessels, inland waterways and their shorelines for navigation; establishes legal status of river ports and terminals, objects of inland water transport infrastructure.  
Any relations regarding small vessels, sport crafts, water motorcycles, and recreational water crafts are regulated by this Law to the extent of organization of their safe use on public inland waterways.
- 2.** This Law shall not cover stationing sites and vessels that belong to the Armed Forces of Ukraine, other military formations and special purpose law enforcement authorities established in accordance with laws of Ukraine, sea ports, sea terminals, and navigable channels, as well as stationing sites for sport crafts except as expressly provided by this Law.

## **Article 3. Inland Water Transport Legislation**

- 1.** Relations in the area of inland water transportation shall be governed by this Law, the Merchant Marine Code of Ukraine, the Water Code of Ukraine, the Civil Code of Ukraine, the

Commercial Code of Ukraine, the Law of Ukraine *On Transport*, the Law of Ukraine *On Transportation of Dangerous Goods*, the Law of Ukraine *On Protection of Personal Data*, and other acts of legislation.

2. In the event that an international treaty of Ukraine ratified by the Verkhovna Rada of Ukraine as binding establishes any rules other than those provided in this Law, the rules of the international treaty of Ukraine shall apply.

## **Chapter II**

### **STATE REGULATION IN THE AREA OF INLAND WATER TRANSPORT**

#### **Article 4. Main Areas of State Policy in the Sphere of Inland Water Transport**

1. State regulation in the area of inland water transport is a mechanism applied for the purpose of implementation of unified state economic, investment, research and technical as well as social policy in the following areas:
  - a. attracting investments and ensuring their protection;
  - b. integration of the national transport network into European and global transport networks, development of multimodal (combined), including international transportation engaging inland water transport;
  - c. ensuring development of internal water transport and inland waterways of Ukraine for establishment of strengthened economic and trade cooperation to ensure gradual integration of Ukraine into the European Union internal market;
  - d. approximation of the legislative and regulatory norms to the EU acquis;
  - e. promotion of fair competition in the development of the inland water transport service market;
  - f. performing state oversight and control of compliance with legislative requirements in the area of inland water transport;
  - g. legislative and regulatory framework support of inland water transport activity;
  - h. state property management;
  - i. performance of state registration of vessels;
  - j. establishment and development of inland water transport infrastructure;
  - k. organization of carriage of cargo, transportation of passengers and baggage by inland water transport;
  - l. ensuring protection of consumer rights pertaining to services provided on inland water transport;
  - m. organization of international cooperation;
  - n. ensuring compliance with environmental protection legislation requirements for the protection of the ecosystem, providing for the needs of the population, industry, agriculture.

#### **Article 5. Objects of State Regulation in the Sphere of Inland Water Transport**

1. State regulation in the area of inland water transport shall be carried out by the Cabinet of Ministers of Ukraine, the central authority of executive power ensuring development of state policy in the area of inland water transport, by the central authority of executive power implementing state policy in area of inland water transport, by the national commission performing state regulation in the area of transport, the state specialized expert institution for technical investigation of transport incidents, the National Police of Ukraine, local state administrations, other authorities of executive power within the scope of their competence.
2. Within the scope of its competency, the Cabinet of Ministers of Ukraine:
  - a. approves the list of inland maritime waters and inland waterways classified as navigable;
  - b. approves the Strategy for Development of Inland Water Transport of Ukraine;
  - c. approves the procedure for keeping of the Register of the Inland Waterway Infrastructure Objects;

- d. exercises other authorities provided under this Law.
3. The central authority of executive power ensuring development of state policy in the area of inland water transport:
- a. organizes international law monitoring in the area of inland water transport, use of inland waterways, ensures drafting of legislative acts in compliance with commitments under relevant international treaties of Ukraine, takes part in activities of international organizations of the relevant sectors;
  - b. in compliance with this Law, develops the Strategy for Development of Inland Water Transport of Ukrainian;
  - c. develops and approves rules for carrying cargo, passengers and baggage by inland water transport, the procedure of application of international treaties of Ukraine on transportation of dangerous goods in international voyages for coastal voyages; the rules for inland waterway navigation, classification of maritime and inland waterways; the standard form of local rules of navigation for small vessels and sport crafts and water motorcycles, and the use of recreational water crafts; the rules of vessel admittance for lock passing; the rules for inland navigation vessel control; technical requirements for inland navigation vessels; the rules of technical maintenance of hydraulic engineering constructions on inland waterways; the performance procedure for technical oversight of inland waterway hydraulic engineering constructions; the rules of safe operation of small vessel anchoring baes; the investigation and recording procedure for any emergency events pertaining to navigation; the provision for awarding and verification of qualification of inland navigation vessel crew members; training and qualification verification procedure for boatmasters of small vessels and water motorcycles; the procedure for issuance of the International Certificates Certifying the Right to Navigate Pleasure Crafts; the performance procedure for technical oversight of vessels, fire safety rules for vessels; the rules for registration of operations with dangerous goods on vessels, at sea and river ports and terminals; the procedure of vessel registration in the Vessel Book of Ukraine; the procedure of vessel registration in the State Vessel Register of Ukraine; and other documents related to inland water transport; the procedure for identification of inland waterway sections with specific risks;
  - d. determines institutions that carry out training and qualification verification of persons in order to establish compliance of any economic entity with requirements of this Law;
  - e. exercises legislatively established authorities regarding management of state-owned inland water transport infrastructure;
  - f. ensures organization of efficient and safe operation of inland waterways and strategic objects of inland water transport infrastructure for navigation purposes;
  - g. ensures organization of performance of engineering works, exercising of control and maintenance of the navigable fairway and navigable channel measurements on inland waterways;
  - h. organizes navigational and hydrographic support of navigation on inland waterways;
  - i. organizes ensuring of functioning of the river information service and the information service for automated accounting of transportation on inland waterways;
  - j. takes part in organization of vessel passage through navigable hydraulic engineering constructions;
  - k. exercises other authorities provided under this Law.
4. The central authority of executive power implementing state policy in the area of inland water transport:
- a. takes part in the development of the Strategy for the Development of Inland Water Transport of Ukraine, ensures acquisition and analysis of data related to functioning of the inland water transport, its interconnection with other components of the



- transport network of Ukraine and the European Union, prepares necessary forecast documents;
- b.** takes part in activities of international organizations related to inland water transport, navigation on inland waterways, ensures fulfillment of international obligations under Ukraine's membership in such international organizations;
  - c.** ensures cooperation with foreign state authorities and organizations in the areas of inland water transport, inland waterway navigation;
  - d.** exercises state oversight over the condition of inland waterways and strategic objects of inland waterway transport infrastructure, provision of navigation and hydrographic support to navigation, engineering works and pilotage on inland waterways, functioning of the river information service and the information system for automated accounting of shipment by inland waterways;
  - e.** exercises state control of inland waterway navigation safety, compliance with the legislative requirements on navigation safety by river ports (terminals) and other entities of inland water transport;
  - f.** exercises state oversight of compliance with the legislative requirements on navigation safety and environmental pollution prevention by vessel, including foreign vessels, on inland waterways;
  - g.** carries out vessel examination, verification of vessel document and vessel crew qualification documents;
  - h.** prohibits vessel navigation or operation to the extent permitted by this Law;
  - i.** ensures accounting of emergency events that involve vessels;
  - j.** is a competent authority in issues related to control of compliance with the technical vessel requirements on inland navigation vessels, interacts with relevant competent agencies of other states;
  - k.** carries out state registration of vessels in the State Vessel Register of Ukraine, the Vessel Book of Ukraine and issues relevant documents;
  - l.** approves local navigation rules for small vessels, sport crafts, water motorcycles, and the use of recreational water crafts, placement of floating facilities within public waterways;
  - m.** carries out qualification verification of small vessel and water motorcycle boatmasters, issues International Certificates Certifying the Right to Navigate Pleasure Crafts;
  - n.** ensures functioning of unified electronic registration and accounting system for small vessels, sport crafts and water motorcycles, International Certificates Certifying the Right to Navigate Pleasure Crafts, small vessel anchoring bases;
  - o.** ensures recording of the Register of the Inland Waterway Infrastructure Objects;
  - p.** exercises state oversight of compliance with navigation the local rules of navigation for small vessels, sport crafts, water motorcycles, and recreational water craft operated within public waterways;
  - q.** takes part in the organization of efficient and safe operation of inland waterways and strategic objects of inland water transport infrastructure for navigation purposes;
  - r.** performs oversight over ensuring of readiness to mitigate any consequences of emergencies and organization of measures aimed at prevention of emergency events related to navigation or functioning of strategic objects of inland water transport infrastructure;
  - s.** performs other functions provided by the law.
- 5.** The national commission that carries out state regulation in the area of transport:
    - a.** establishes tariffs for specialized services provided by natural monopoly entities on inland waterways;
    - b.** establishes the pilotage fee rates on inland waterways;
    - c.** performs other functions provided by the law.
  - 6.** The National Police of Ukraine:

- a. controls observance of the local rules of navigation for small vessels, sport crafts and water motorcycles, rules of use of water recreational crafts;
  - b. carries out verification of vessel documents, International Certificates Certifying the Right to Navigate Pleasure Crafts, as well as small vessel or water motorcycle, as well as documents that authorize navigation of a pleasure craft, small vessel, water motorcycle boatmaster certificates issued prior to the enactment of this Law, stops such vessels and carries out inspections.
7. Local state administrations exercise regulation of inland water transport activities in compliance with this Law and other legislative acts, in particular:
- a. set tariffs for socially significant regular passenger transportation by vessels;
  - b. develop and, upon consent of the central authority of executive power implementing state policy in the area of inland water transport, approve local rules of navigation for small vessels, sport crafts and water motorcycles, use of water recreational crafts, placement of floating constructions;
  - c. authorize organization of sport and other public events on water;
  - d. according to the procedure approved by the central authority of executive power ensuring development of state policy in the area of maritime and inland water transport:
    - establish anchoring bases for small vessels and anchoring bases for sport crafts, carry out their inspection, publish information on the bases on their official website;
    - exercise control over observance of the rules of safe operation of small vessel anchoring bases;
    - ensure organization of verification of vessel documents, International Certificates Certifying the Right to Navigate Pleasure Crafts, as well as small vessel or water motorcycle boatmaster certificates issued prior to the enactment of this Law.

### **Chapter III**

#### **GENERAL PRINCIPLES OF FUNCTIONING AND DEVELOPMENT OF INLAND WATER TRANSPORT**

##### **Article 6. Principles of Functioning and Development Organization of Inland Water transport**

**1.** Functioning and development of inland water transport is carried out according to the following principles:

- a. ensuring balance of interests of the state, investors, authorities of local self-government, transport service consumers, inland water transport economic entities regardless of their ownership type;
- b. ensuring equal rights for all economic entities by developing competitive environment for the entities producing similar goods, fulfilling similar works, providing similar services in the area of inland water transport;
- c. delimitation of administrative, economic functions and functions of state oversight and control;
- d. ensuring advocacy of interests of the state investors, and retaining strategic objects of inland water transport infrastructure under state control;
- e. priority of support and establishment of conditions for investment attraction to the area of inland water transport from private national and foreign investors and international organizations;
- f. priority of sustainable comprehensive development, capacity building and ensuring competitiveness of inland water transport as compared to other types of transport;
- g. priority of ensuring safety of navigation, protection of human life and health, security of inland water transport infrastructure objects;
- h. priority of prevention of environmental pollution by vessels, compliance with requirements on operation and protection of water objects;
- i. increasing accessibility and quality of inland water transport services for shippers and passengers;

- j. ensuring of fulfillment of obligations under international treaties of Ukraine related to navigation, unification of relevant legislation with European and global standards.

#### **Article 7. Planning of Inland Water Transport Development**

1. Planning of inland water transport development is based on the Strategy for Development of Inland Water Transport of Ukraine which includes short-term, mid-term, and long-term development plans. The Strategy shall be developed with consideration to forecasts on the cargo traffic, investment, key financing areas and sources, development plans for the national transport system, river ports (terminals), other objects of inland water transport infrastructure, the strategy of sea port development of Ukraine, as well as ensuring safety of navigation and environmental protection. The Strategy shall comply with the general master plan of the territory of Ukraine.
2. The Strategy for Development of Inland Water Transport of Ukraine shall be developed by the central authority of executive power that ensures development of state policy in the area of inland water transport and shall be subject to approval by the Cabinet of Ministers of Ukraine. In the event that implementation of the Strategy requires amendments to the master plans of individual territories of Ukraine and/or to the State Strategy on Regional Development, then together with adoption of the Strategy, the Cabinet of Ministers of Ukraine shall decide on relevant amendments.
3. The Strategy for Development of Inland Water Transport of Ukraine provides for the development of inland waterway network including in compliance with international treaties of Ukraine.

#### **Article 8. Tariff Policy on Inland Waterways**

1. Tariffs for specialized services provided on inland waterways by entities of natural monopoly shall be subject to regulation by the national committee exercising state regulation in the area of transport. The list of such services shall be determined by the Cabinet of Ministers of Ukraine.
2. Tariffs for socially significant regular passenger transportation by vessels shall be set by the local state administrations. The local state administrations that established state regulated tariffs for such transportation at the rates lower than the economically reasonable shall reimburse the difference between these tariffs to the carriers performing such transportation under the tariffs regulated by the state at the expense of local budgets.
3. The tariffs for services in the area of inland water transport (other than those established in parts one and two of this article, as well as in article 47 of this Law) shall be open.

#### **Article 9. Inland Navigation Vessel Dues**

1. The use of inland waterways for navigation shall be free of charge.
2. Port dues shall not be charged in sea ports of Ukraine to inland navigation vessels that according to their vessel documents have the maximum draught of no more than 4.5 meters, with the exception of the following:
  - a. The administrative, channel, vessel sanitary dues - when carrying out a coastal voyage, where the voyage point of departure or point of destination is a river port (terminal) while the other point of departure (destination) is located on inland waterways of Ukraine;
  - b. The channel dues - when carrying out an international voyage.  
In the event of the vessel's discharge of any pollutants at the sea port reception facilities, it shall be charged for the reception services actually rendered.
3. In the course of an international voyage, an inland navigation vessel shall not be relieved at a sea port where it crosses the state border of Ukraine of charges pertaining to the administrative, vessel (when performing cargo operations), lighthouse, sanitary, anchor, berth (if applicable) dues.

#### **Article 10. Investing in the Area of Inland Water Transport**

1. The priority sectors for investment in the area of inland water transport shall be determined by the Strategy of Inland Water Transport Development of Ukraine, particularly in the following areas:
  - a. implementation of innovative energy-efficient and environmentally safe, technologies;
  - b. development and modernization of the inland waterway network;
  - c. construction of inland waterway transport strategic objects of infrastructure;
  - d. upgrading of the level of safety of navigation on inland waterways;
  - e. development of tourism and sport infrastructure, including international, on inland waterways.
  - f. implementation of compensative restoration measures for the purpose of restoration of natural resources that underwent negative impact as a result of dredging on inland waterways.
2. Investing in the area of inland water transport shall be carried out on the basis of concession agreements, lease agreements, joint venture agreements, other types of investment agreements in compliance with the legislation of Ukraine.
3. Compensations of investments into the state-owned inland waterway strategic infrastructure objects invested by economic entities shall be carried out on the basis of respective agreements executed according to the procedure and under the terms and conditions established by the Cabinet of Ministers of Ukraine.
4. The resources of the state budget, the rent fee, and other sources not prohibited by the legislation shall constitute the sources of investment into the inland water transport strategic infrastructure objects.

### **Chapter IV INLAND WATER TRANSPORT INFRASTRUCTURE**

#### **Article 11. Development of Inland Waterways**

1. Development of inland waterways is carried out according to the Strategy for Development of Inland Water Transport of Ukraine, which is developed by the central authority of executive power that ensures development of state policy in the area of inland water transport, with regard to development of prioritized network of internationally important inland waterways of Ukraine and promotion of development of transportation of goods by inland water transport, and shall be approved by the Cabinet of Ministers of Ukraine.

#### **Article 12. Servicing of Inland Waterways and Maintenance of Strategic Objects of Inland Water Transport Infrastructure**

1. Maintenance of inland waterways shall be carried out for the purpose of their upkeep in navigable condition:
  - a. organization of efficient and safe use of inland waterways for navigation purposes;
  - b. ensuring organization of performance of engineering works, exercising of control and maintenance of the navigable fairway, navigable channel measurements on inland waterways;
  - c. maintenance and ensuring efficient use of strategic objects of inland water transport infrastructure;
  - d. navigation and hydrographical support of inland waterway navigation;
  - e. first response measures to mitigate any consequences of emergencies and measures aimed at prevention of emergency events related to navigation or functioning of strategic objects of inland water transport infrastructure;
  - f. ensuring functioning of the river information service and the information service for automated accounting of transportation on inland waterways;
  - g. ensuring vessel passage through navigable hydraulic engineering constructions;

2. The economic entity maintaining/servicing inland waterways shall be entitled to:
  - a. use the shore line of inland waterways in order to ensure safety of navigation, for which reason to carry out work, conduct construction according to the procedure established under the legislation;
  - b. install hydraulic engineering facilities and aids to navigation on the inland waterway shore line;
  - c. carry out tree felling, particularly sanitary tree felling, of trees and shrubs on the shoreline for the purpose of ensuring visibility of onshore aids to navigation, as well as for the purpose of geodetic justification at the time of survey of riverbed sections. Installation of onshore aids to navigation and making of forest isles in order to ensure visibility may be also carried out outside the boundaries of the shore line according to the procedure established by the legislation;
  - d. organize construction of temporary facilities and conducting of other necessary works on the inland waterway shoreline in the event of unforeseen winter stationing of vessels or vessel emergencies.

Any legal entities regardless of their ownership type may be the economic entities conducting engineering works, maintaining fairway and navigable channel measurements.
3. An Inland Waterway State Fund shall be established within the special fund of the State Budget of Ukraine, in order to ensure navigation on inland waterways.

The central authority of executive power ensuring development of state policy in the area of inland water transport shall be the main administrator of the money of the Inland Waterway State Fund.
4. Ensuring navigation on inland waterways and the engineering works may be carried out at the expense of engaging investments from economic entities in compliance with the procedure established in article 10 of this Law.

### **Article 13. Construction and Operation of Hydraulic Engineering Constructions on Inland Waterways**

1. Construction of hydraulic engineering constructions on inland waterways shall be carried out according to procedure established by legislation.
2. Expert examination of the construction design of inland waterway hydraulic engineering structure shall be carried out according to the law.
3. At their own expense, owners of inland waterway hydraulic engineering constructions shall install lights and signs, other navigational equipment according to the design documentation developed in accordance with the rules of navigation on inland waterways and other legislative acts.
4. The owner of the hydraulic engineering facilities on inland waterways shall carry out their maintenance in compliance of the rules for technical operation of hydraulic technical facilities on inland waterways.
5. Technical oversight of inland waterway hydraulic engineering constructions shall be carried out according to the procedure approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.
6. Objects of inland water transport infrastructure intended for provision of services by river a port (terminal), with the exception of strategic objects of inland water transport, may be of any type of ownership.
7. Arrangement of anchoring berths and mooring buoys shall be carried out by the river port (terminal) beyond the limits of the navigable channel without allocation of land plots of the water resource lands according to the law.

### **Article 14. Navigable Hydraulic Engineering Constructions**

1. The central authority of executive power that ensures development of the state policy in the area of inland water transport shall ensure organization of safe maintenance and operation of the navigable hydraulic engineering constructions.

2. The expenses related to maintenance, reconstruction, repair, including major overhaul, technical refitting, and securing of navigable hydraulic engineering facilities, as well as expenses related to the use of these constructions for vessel passage shall be covered by the State Inland Waterway Fund that shall in particular be replenished by a share of the rent fee for special water use paid by the economic entities that use the water for the needs of hydraulic power energy production.
3. Technical maintenance of navigable hydraulic engineering constructions shall be carried out in compliance with the rules for technical operation of hydraulic technical facilities on inland waterways.
4. Passing through navigable hydraulic engineering constructions shall be free of charge for all vessel categories, including foreign.
5. The rules of vessel passage through navigable locks shall be approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

The rules of vessel passage through navigable locks shall also establish requirements to vessels, in particular requirements to actual measurements of vessels (vessel convoys) eligible to pass through the locks, list of vessel malfunctions justifying passage prohibition, requirements to joint vessel lock passage, regulation procedure for vessel navigation during lock passage, requirements to vessel navigation within the water area of navigable hydro engineering structure, as well as the priority of vessels passing the locks.

Inland navigating vessels and vessel convoys shall pass the navigable locks in compliance with the Rules for Vessel Passage through Navigable Locks. Inland navigating vessels and vessel convoys carrying passengers or dangerous goods shall have first priority when passing the navigable locks. Lock passage of small vessels and sport crafts is conducted either during lock passage by inland navigation vessels or independently (in groups). The Rules for Vessel Passage through Navigable Locks shall establish the maximum lock passage waiting time for small vessels and sport craft as well as other peculiarities of lock passage for such vessels.

#### **Article 15. Maintenance of Navigable Channel (Fairway) Dimensions**

1. Guaranteed navigable channel dimensions on inland waterways shall be established by the central authority of executive power implementing state policy in the area of inland water transport with regard to the operational modes of artificial water objects and water utilization systems established according to laws and international treaties of Ukraine.
2. The central authority of executive power implementing state policy in the area of inland water transport shall approve the annual inland waterway engineering works plan. The plan shall in particular include the list of inland waterway sections for performance of the engineering works, the approximate time frames for fulfillment of work and service procurements for the purpose of ensuring the navigable channel measurements (maintenance of the navigable channel), the planned volume of soil subject to extraction, the list of section, and values of the guaranteed measurements of the navigable channel on inland waterways.

The state enterprise that belongs to the management sphere of the central authority of executive power that ensures development of state policy in the area of inland water transport which has the maintenance of inland waterways among its main tasks shall carry out procurement of works and services pertaining to the ensuring of the navigable channel measurements (maintenance of the navigable channel) in compliance with the annual plan of the engineering works on inland waterways, fulfillment of such works in the event of absence of valid agreements with economic entities on ensuring the navigable channel measurements (maintenance of the navigable channel).

Agreements (contracts) for fulfillment of works to ensure navigable fairway measurements (navigable fairway maintenance) shall be drawn up for the term no shorter than three years. The sale of the soil (mineral raw materials) extracted as a result of fulfillment of the engineering works which was not used for the said works shall be carried out by the economic

entities performing such works under the agreement (contract), on the basis of a special permit for the use of natural resource, obtained in compliance with the Code of Ukraine on Natural Resources without competition (auction). The cost of the soil (mineral raw material) that may be sold shall be calculated towards the payment for the engineering works, works to ensure the navigable channel measurements (navigable channel maintenance).

The volume of the soil (mineral raw material) extracted as a result of the engineering works and not used in the course of their fulfillment shall be calculated according to the methodology approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

Fulfillment of any works for the expansion of the navigable channel measurement beyond as provided under the agreement (contract) for the fulfillment of works to ensure navigable channel measurements (navigable channel maintenance) shall be prohibited.

The agreements (contracts) for the fulfillment of works to ensure navigable channel measurements (navigable channel maintenance) shall establish that the fulfillment of any works leading to expansion of the navigable channel measurement beyond as provided under such agreement (contract), the economic entities having fulfilled the respective works shall be charged with the fine at the rate of 200 per cent of the price of such agreement (contract).

In the event of sale of the soil (mineral raw material) extracted as a result of fulfillment of the engineering works should be carried out by a state enterprise that belongs to the management sphere of the central authority of executive power that ensures development of state policy in the area of inland water transport which has the maintenance of inland waterways among its main tasks, the revenue obtained from the sale of the soil shall be directed to the State Inland Waterway Fund.

The procedure for the establishment of the price of the soil (mineral raw material) extracted as a result of fulfillment of the engineering works and not used in the course of the works fulfillment shall be approved by the Cabinet of Ministers of Ukraine.

3. The engineering works (operational dredging), indicated in part two of this article, conducted on inland waterways shall not be included into the special water use category and shall not require permits for special use of natural resources (with the exception of the sale of soil (mineral raw material)), permits for special water use, permits for conducting works within the water resource lands.
4. The soil extracted in the course of the engineering works on inland waterways is used by economic entities for fulfillment of the works according to the procedure established by the central authority of executive power ensuring development of state policy in the area of inland water transport.

#### **Article 16. The Vessel Entry Regime to the Operational Water Area of River Port (Terminal) Berthing Facilities**

1. Each river port (terminal) shall develop, publish, and promulgate on its website information on vessel entry to the river port (terminal) berthing facility operational water area. The content of this information must comply with the standard form information on the entry regime of the operational port water area and berthing facility operational water area of the river port (terminal) approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.
2. Promulgation of data on the regime of entry, exiting, moving within the river port (terminal) operational water berthing facilities water area, as well as on stationing, maneuvering, and mooring of vessels contained in the information on the mode of vessel entry into the river port (terminal) berthing facilities operational water area of a river port (terminal) shall be ensured by the central authority of executive power implementing state policy in the area of inland water transport through the river information service.

### **Article 17. The Stay and Security Regime within the Territory of a River Port and Berthing Facility Operational Water Area**

1. River ports (terminals) shall establish on their territory and within the berthing facilities operational water areas their stationing and security regime that ensures the port's (terminal's) activity, activity of other economic entities in compliance with the legislation and international treaties of Ukraine; this regime shall be binding for all physical persons and legal entities.
2. A river port (terminal) shall ensure observance of the security regime for infrastructure objects, vessels, passengers and cargo within its territory and within its berthing facilities operational water areas in compliance with the legislation and shall promulgate requirements that are binding for all physical persons and legal entities.
3. At river ports (terminals) that have an international Ukrainian state border control point for maritime communication, the port facility security level shall meet requirements of the international treaties of Ukraine in the area of protection of human life at sea.

### **Article 18. Services Provided by a River Port (Terminal)**

1. Unless otherwise established by law, river ports (terminals) provide services on inland waterways for vessels with the maximum draught no more than 4.5 meters providing operations for handling of goods, baggage, mail, cargo storage, passenger services, the services provided under article 24 of this Law, and other services (works) that are not prohibited by the legislation.
2. River ports (terminals) shall provide the services provided under part one of this article to vessels with the maximum draught of no more than 4.5 m under the condition that these vessels paid the vessel, channel, and administrative port dues in the nearest port according to the tariffs of the sea port.

The procedure for port dues charging shall establish peculiarities of port dues charged to vessels indicated in this part by river ports (terminals).

3. The vessels designed to perform state oversight of safety of navigation shall be provided mooring and stationing services at the berthing facility or at the anchoring berth at the river port (terminal) complimentary (free of charge). These vessels shall be allowed to stay at the berths or at the anchoring sites for the time period necessary for the vessel and its personnel to fulfill their functions established by the legislation, and under the condition that it shall not disturb the normal mode of operation of the river port (terminal) and does not disturb vessel servicing at the river port (terminal).

### **Article 19. Berthing Facilities**

1. Construction (reconstruction) of berthing facilities shall be carried out according to the procedure established by the legislation.
2. The organization operating the berthing facility shall ensure the use of the facility in accordance with its functional purpose and observance of any relevant measures for maintaining facility condition that ensures its performance of its design functions with parameters defined by the technical documentation.
3. Technical oversight of berthing facilities shall be performed according to the procedure for technical oversight over hydraulic engineering constructions on inland waterways.
4. State-owned berthing facilities may be subject to lease according to the law. A mandatory condition to any lease agreements for state-owned berthing facilities shall be a provision on their use by leasee's according to their intended purpose.
5. A mandatory condition to any lease agreements for state-owned berthing facilities, river stations and other quays designed and constructed for passenger vessels and passenger servicing shall be a provision on the leasee's use of these structures for anchorage of passenger vessels and passenger servicing.
6. Berthing facilities intended, among other things, for passenger vessels and passenger servicing shall be suitable for servicing persons with limited mobility.



#### **Article 20. Operational Water Area of Berthing Facilities and the Approach Channel**

1. Operational water area of a berthing facility and/or a berthing facility approach channel shall be created (constructed) or reconstructed by an economic entity that is entitled to own or use such berthing facility according to procedure established in the legislation. The operational water area used for operation of several berthing facilities and/or approach channel thereto shall be created jointly by economic entities entitled to own or use these berthing facilities.
2. According to the legislation, the organization operating the berthing facility shall ensure passport certification of any berthing facility operational water area and/or approach channel thereto and maintain the guaranteed dimensions of these facilities by conducting relevant engineering works.
3. Technical supervision for berthing facilities operational water area and approach channels thereto is carried out according to the procedure for performance of technical supervision of hydraulic engineering constructions on inland waterways.

#### **Article 21. Floating Construction Placement within Inland Waterways**

1. Floating constructions shall be placed within inland waterways beyond the boundaries of the navigable channel. Information about such constructions shall be entered into the Register of Objects of Inland Water Transport Infrastructure and shall be made public through the river information service and on the official website of the central authority of executive power implementing state policy in the area of inland water transport.

#### **Article 22. Navigational and Hydrographic Support of Shipping**

1. Navigational and hydrographic support of shipping on inland waterways includes:
  - a. equipping inland waterways with coastal and floating navigational equipment, ensuring, ensuring their continuous functioning according to their established operational modes;
  - b. hydrographical surveying on inland waterways, preparation, updating and publishing of official river navigation charts, manuals and instructions for vessel navigation on inland waterways;
  - c. acquisition and communication to vessels of information on any changes of navigation conditions and modest of navigation on inland waterways.
2. The Provision on Navigational and Hydrographic Support of Shipping on Inland Waterways shall be approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

Navigational and hydrographic support of shipping within the sections of inland waterways located in controlled borderline zone shall be carried out in compliance with the provisions of international treaties of Ukraine.
3. Installation of any permanent or flashing beacon lights directed at the navigable channel, with the exception of navigational lights, on inland waterway coastline shall be prohibited. With consent from the central authority of executive power implementing state policy in the area of inland water transport, economic entities may install temporary lights on the side of the navigable channel under the condition that these do not interfere with safe use of the navigable channel for navigation.
4. Economic entities shall reimburse to the owner any damages caused in the course of their economic activity and related to damage of navigational equipment, hydraulic engineering constructions and other objects of inland water transport infrastructure.
5. In the event that any commercial activity of an economic entity leads to alteration of the guaranteed measurements of the navigable channel and/or deterioration of conditions for navigation on inland waterways, the economic entity shall compensate the expenses incurred for the restoration of the navigable channel measurements and/or conditions for navigation on inland waterways on the basis of a court decision that has entered into force.

### **Article 23. Regulation of Water Level on Inland Waterways**

1. Regulation of water capacity accumulation/exhaustion modes, modes of level variance in lower and upper lock pools (biefs), and water passing through hydraulic engineering facilities shall be performed by economic entities operating these structures under the condition of maintaining the water level necessary to preserve the guaranteed navigable channel dimensions, uninterrupted navigation and vessel passing through the locks according to the operating modes for artificial water objects and water utilization systems established in compliance with the law with regard to water supply forecast, environmental requirements and interests of all water consumers. The economic entity operating the constructions of artificial water objects and water utilization systems shall inform in writing the central authority of executive power implementing state policy in the area of inland water transport of any available forecast predicting temporary impossibility to maintain the necessary water level.
2. The central authority of executive power implementing state policy in the area of inland water transport shall ensure communication to the captains of vessels and other stakeholders about the water levels according to the procedure established by the provision on navigational and hydrographic support of shipping on inland waterways.

### **Article 24. Vessel Bunkering. Reception of Polluted Substances and Garbage from Vessels**

1. Replenishment of vessel's fuel and oil supply by filling-up (bunkering) on inland waterways shall be performed at the berthing facilities and within operational water areas of river ports (terminals), as well as at locations approved by the central authority of executive power implementing state policy in the area of inland water transport.
2. During anchoring at its berthing facilities and within its operational water areas, a river port (terminal) shall ensure contractual provision to vessels of services pertaining to reception of their oil-containing mixtures, vessel waste water, waste (garbage) generated as a result of vessel operation, household waste (household garbage), cargo remains - for their further disinfection and disposal.

A river port (terminal) conducting cargo operations pertaining to oil and oil products transported in bulk shall ensure reception from bulk vessels of oil residue and other oil-containing compositions related to oil and oil products transportation as cargo.

### **Article 25. Bridges**

1. Construction and reconstruction of bridge crossings on inland waterways shall be carried out with regard to maritime and inland waterways classification, guaranteed overwater dimensions of the navigable channel. The under-bridge clearance of navigable bridge spans and navigable movable-span bridges under construction or reconstruction are subject to approval by the central authority of executive power implementing state policy in the area of inland water transport.
2. Owners of bridges located on inland waterways shall ensure, in compliance with the legislation, availability and reliable functioning of navigational equipment, other equipment necessary for timely and safe vessel passage through navigable bridge spans and navigable movable-span bridges and shall ensure timely lifting, turning or opening of the movable-span constructions of the navigable movable-span bridges for vessel passing.
3. Lifting, turning or opening of the movable-span constructions of the navigable movable-span bridges on inland waterways for vessel passing shall be performed by the owners of such bridges during navigation season according to the schedule approved by the central authority of executive power ensuring development of state policy in the area of inland water transport. Unscheduled lifting, turning, or opening of the movable-span constructions of the navigable movable-span bridges shall be conducted to ensure safe vessel passing in emergency situations, natural and man-induced disasters.
4. Lifting, turning or opening of the movable-span constructions of the navigable movable-span bridges on inland waterways is conducted at the expense of the bridge owners and free of charge for the vessels or floating objects passing.

## **Article 26. The Register of Inland Waterway Infrastructure Objects**

1. The Register of Objects of Inland Water Transport Infrastructure is an electronic database of inland waterway objects created for the purpose of providing information to entities of inland water transport, as well as of fulfillment of tasks in the area of safety of navigation, environmental protection, state oversight of safety of navigation.

The Procedure of Keeping of the Register of Objects of Inland Water Transport Infrastructure, which includes, in particular, a list of publicly available data, the procedure, and standard form for data submission, shall be approved by the Cabinet of Ministers of Ukraine.

2. The Register of Objects of Inland Water Transport Infrastructure is kept by the central authority of executive power implementing state policy in the area of navigation and maritime and inland water transport safety with relevant information posted on its official website.
3. The data shall be entered free or charge into the Register of Objects of Inland Water Transport Infrastructure on the basis of a declaration on the data inclusion to the Register submitted by the river port (terminal) or the owner (balance holder) of the corresponding object. Access to the Register of Objects of Inland Water Transport Infrastructure shall be open and free of charge.
4. The following data shall be entered into the Register of Objects of Inland Water Transport Infrastructure as indicated in the declaration submitted:

- a. On a river port (terminal):

- location, key operational characteristics of objects, indicating the name of the river port (terminal), contact data on the persons appointed responsible for safety of navigation;
- location, names and key operational characteristics of berthing facilities and berthing facilities operational water areas indicating contact data on the persons appointed responsible for safety of navigation;
- location, names and key operational characteristics of berthing facility approach channels indicating contact data on the persons appointed responsible for safety of navigation (if applicable);
- names and location of equipped anchoring (holding anchorage) sites for vessels, anchoring berths and mooring buoys, cargo handling operation sites for vessels moored side by side on open water or during extraction of natural resources indicating contact data on persons appointed responsible for safety of navigation (if applicable);
- list of services provided to vessels by river ports (terminals);
- name and location of vessel bunkering sites indicating contact data on the persons appointed responsible for safety of navigation (if applicable);
- names and locations of icebreakers, emergency and rescue vessels, towboat stationing indicating contact information for ordering services provided by these vessels (if applicable);
- name and location of reception facilities providing to vessels reception services for oil-containing mixtures, vessel sewage water, vessel waste, cargo residue and garbage, as well as reception of oil residue, other oil-containing compositions related to oil and oil products transportation as cargo from bulk vessels indicating contact data of the persons appointed responsible for safety of navigation (if applicable);

- b. location, names and key operational characteristics of berthing facilities and berthing facilities operational water areas, owned or held on one's balance by entities other than river ports (terminals), indicating contact data of the persons appointed responsible for safety of navigation;

- c. location, names and key operational characteristics of berthing facility approach channels indicating contact data of the persons appointed responsible for safety of navigation;

- d. names and location of equipped anchoring (holding anchorage) sites for vessels, anchoring berths and mooring buoys, cargo handling operation sites for vessels moored side by side on open water or during extraction of natural resources indicating contact data of the persons appointed responsible for safety of navigation;

- e. name and location of ship repair and shipbuilding enterprises indicating contact data of the persons appointed responsible for safety of navigation;
- f. list of services provided to vessels by economic entities other than river ports (terminals);
- g. information regarding navigable channel dimensions on sections of inland waterways;
- h. name and location of vessel bunkering sites indicating contact data on persons appointed responsible for safety of navigation;
- i. name and location of navigable hydraulic engineering facilities, indicating contact data of the persons appointed responsible for safety of navigation and of the inland waterway hydraulic engineering facilities;
- j. name and location of bridges;
- k. names and locations of icebreaker, emergency and rescue vessel, towboat stationing indicating contact information for ordering services provided by these vessels;
- l. name and location of reception facilities providing to vessels reception services for oil-containing mixtures, vessel sewage water, waste (garbage) generated as a result of vessel operation, household waste generated on the vessel (household garbage), cargo waste, as well as reception of oil residue from tanker vessels, other oil-containing compositions related to oil and oil products transportation as cargo, indicating contact data of the persons appointed responsible for safety of navigation;
- m. other data provided under the Procedure for Keeping of the Register of Objects of Inland Water Transport Infrastructure.

In the event that the data subject to submission to the Register of Objects of Inland Water Transport Infrastructure are of temporary nature, the relevant term of validity of the data shall be indicated in the Register.

5. The central authority of executive power implementing state policy in the area of inland water transport shall enter the data to the Register of Objects of Inland Water Transport Infrastructure within 10 business days from the date of receipt of respective declaration.  
The fact of entry of the data provided under par. 1 of part four of this article shall be verified by an excerpt from the Register, which shall constitute a permission document for the purposes of the Law of Ukraine *On Permission Documents in the Area of Economic Activity*. The standard form of the excerpt shall be established by the procedure for keeping of the Register of the Inland Waterway Infrastructure Objects. In the event that the excerpt from the Register or a justified refusal to enter the data into the Register should not be provided within the time indicated, the data shall be rendered as duly registered. The excerpt from the Register shall have no expiry date and shall be issued free of charge.  
River ports (terminals) registered in the Register of Objects of Inland Water Transport Infrastructure that obtained the excerpt from the Register shall be entitled to provide services to vessels on inland waterways.
6. The Law of Ukraine *On the List of Licensing Documents in the Area of Economic Activity* shall establish grounds for the refusal to issue, replace, annul the permission document.

## **Chapter V**

### **VESSEL**

#### **Article 27. Vessel Admission to Inland Waterways**

1. Vessel (vessel convoy) shall be admitted to navigate inland waterways under the condition of its compliance with requirements established in the national legislation or international treaties of Ukraine on safety of navigation, environmental protection, proper crew member training, manning, and qualification, availability of safe conditions for life and health of passengers and crew, and availability of the necessary valid vessel documents and crew member documents.  
Foreign vessels shall be admitted to navigation on inland waterways of Ukraine in the event that:

- whether they carry an inland navigation vessel certificate and crew member qualification documents issued in compliance with this Law or the same issued by European Union member states;
  - or they carry vessel documents and crew member qualification documents issued in compliance with requirements of the Merchant Shipping Code of Ukraine;
  - or they have vessel documents and crew member qualification documents issued in compliance with requirements established by international treaties of Ukraine in the area of merchant marine shipping.
2. Access to navigation on inland waterways shall be granted to vessels, vessel convoys, floating equipment, and floating constructions the length, width, air draught, actual water draught, and maneuvering characteristics of which comply with actual dimensions of the navigable channel and navigable hydraulic engineering constructions. The actual draught shall be determined by the vessel (vessel convoy) captain with regards to ensuring safety of the vessels, passengers and the cargo.
  3. In the event that a vessel (vessel convoy) should be in compliance with the requirements of part one and two of this article, the vessel (vessel convoy) shall be admitted to navigation on inland waterways without the need to obtain any additional permits, including that for a foreign vessel.  
In the event that a vessel, vessel convoy, floating equipment or floating construction does not comply with requirements set in part two of this article, the decision on single-time passing permit for such vessel, vessel convoy, floating equipment or floating construction by inland waterways shall be made by the central authority of executive power implementing state policy in the area of inland water transport. The decision-making procedure is established by the rules of navigation on inland waterways.
  4. Every self-propelled vessel or vessel convoy shall be governed by a captain (boatmaster). During navigation the captain (boatmaster) shall be on board the vessel.
  5. For every floating construction, the vessel holder shall designate a person responsible for safe operation of the construction.

**Article 28. Technical Requirements for Inland Navigation Vessels.**

1. Technical requirements for inland navigation vessels that include basic requirements to vessel design, specification, and operation of vessel shall be developed and approved by the central authority of executive power ensuring development of state policy in the area of inland water transport with regard to geographical, hydrographic, and navigational conditions in the respective zone of maritime and inland waterways, in compliance with classification of maritime and inland waterways as well as with observance of international treaties of Ukraine and in compliance with requirements of European Union legislation.  
Inland navigation vessels shall meet technical requirements established for vessels operating in respective inland waterway zone.  
Operation of an inland navigation vessel in violation of any conditions set in the inland navigation vessel certificate shall be prohibited.
2. The technical conditions for inland navigation vessels shall establish requirements to mandatory equipment for vessels as well as a lists of the radio equipment, automatic identification equipment, equipment to facilitate transportation of people with limited mobility.
3. Foreign inland navigation vessel shall be entitled to navigate in the Ukrainian inland waterways zones that correspond to the inland navigation vessel certificate.
4. In the event that the legislation of Ukraine should establish additional technical conditions for vessels navigating in a certain inland waterway zone other than those provided in the inland navigation vessel certificate, then, prior to its navigation in the respective zone, such vessel shall obtain additional inland navigation vessel certificate.  
The standard from and the issuance procedure for the additional inland navigation vessel certificate shall be established according to the procedure for technical oversight of vessels.

### **Article 29. Identification of Inland Navigation Vessels**

1. Identification of an inland navigation vessels shall be done by means of its name, its unique European Identification Number assigned and indicated on the vessel according to the procedure established by the central authority of executive power ensuring development of state policy in the area of inland water transport in accordance with international treaties of Ukraine and in compliance with requirements of European Union legislation.

Each vessel may have only one unique vessel European Identification Number that shall remain unchanged during the entire time of its operation.

2. A vessel, equipped with communication means, shall be assigned a call sign and identification number of a maritime navigation service vessel station.

### **Article 30. Requirements to the Inland Navigation Vessel Crew Members**

1. Occupation of the position of an inland navigation crew member may be permitted for persons that have appropriate professional competency to ensure safe operation of the inland navigation vessel.

The professional competency to ensure safe operation of the inland navigation vessel shall be certified by the following qualification documents:

- a. an educational document of the corresponding educational and qualification level;
- b. a qualification certificate of an inland navigation vessel deck crew member;
- c. a vessel radio operator certificate (for captains, boatmasters);
- d. a specialist qualification certificate for transportation by passenger vessels (for passenger vessel crew members responsible for taking measures in the event of extraordinary situations on board such vessels);
- e. a qualification certificate of a specialist navigating a vessel that uses liquefied gas as its fuel (for captains of the vessels that use liquefied natural gas as its fuel and for crew members of such vessels who participate in these vessels bunkering with liquefied natural gas).

The qualification certificate of a passenger vessel specialist and the qualification certificate of a specialist navigating a vessel that uses liquefied gas as its fuel shall be issued for the duration of five years.

Inland navigation vessel captains (boatmasters) who have valid diplomas in compliance with the requirements of the 1978 International Convention on Standards of Training, Certification and Watchkeeping shall not be obligated to obtain any special permit for navigation on maritime waterways attributed to the inland waterways classified as navigable. An inland navigation vessel crew member shall have a service record book. For an inland navigation vessel deck crew member other than the inland navigation captain (boatmaster), the service record book and the qualification certificate shall constitute a single document.

Occupation of any position other than a vessel deck crew member may be permitted for persons that have a document verifying their education according to the educational curriculum that provides competence for the job description of the crew member.

2. Inland navigation vessel captains (boatmasters) shall have the relevant special permit in the event of their navigation of large vessel convoys or navigation of the following vessels:
  - a. vessels that use liquefied natural gas as its fuel;
  - b. vessels navigating in limited visibility conditions using a radar;
  - c. navigating on maritime waterways classified as navigable;
  - d. navigating on waterways classified as waterways with specific risks to navigation.

For the purposes of this article, a big vessel convoy shall mean a vessel convoy the multiplication of the vessel length and the total width of which equals seven thousand square meters or more.

For the purposes of this article, the specific risks to navigation shall be understood as threats to safety caused by specific navigation conditions that require the boatmaster to have competencies that go beyond the scope of what is expected under the general competency

standards. The specific risks shall be established by the Rules of Navigation on Inland Waterways as the conditions that pose special threat to the safety of navigation.

3. The central authority of executive power that ensures development of state policy in the area of inland water transport shall approve the Provision on Awarding and Verification of Inland Navigation Vessel Crew Member Qualifications that shall establish the following:
  - a. the procedure for keeping of the Register of Deck Crew Member Qualification Certificates and Service Record Books and other Qualification Documents for Ukrainian Inland Navigation Vessel Crew Members and Special Permits for Captains (Boatmasters) as well as for access to the information it contains;
  - b. the list of the vessel deck crew members;
  - c. the procedure for granting of qualifications with regard to maritime and inland waterway classification;
  - d. the procedure for issuance, renewal, exchange, suspension, and termination of the qualification certificate, other inland navigation vessel crew member qualification documents, as well as vessel captain (boatmaster) special permits provided under this article, their standard form, as well as measures for forgery prevention for such documents;
  - e. requirements as to age, professional competency, administrative suitability, medical fitness, and service time for inland navigation vessel crew members.
  - f. the validity term for the qualification documents of the vessel deck crew members.
4. The inland navigation vessel captain (boatmaster) shall ensure recording of the data on the time of the vessel crew members navigation service in the vessel logbook and the vessel crew member service record books.
5. The issuance and renewal of an inland navigation vessel crew member qualification certificates, inland navigation vessel captain (boatmaster) special permits, provided under this article constitutes a chargeable administrative service and shall be carried out on the basis of an application supplemented by the following:
  - a. For issuance and renewal of an inland navigation vessel crew member qualification certificate:
    - copies of personal identification and Ukrainian citizenship verification documents or copies of pages of a foreign citizen or stateless person identification documents (for respective categories of persons) that contain data on the given name, family name, and date of birth of its bearer and his/her photo;
    - copies of education documents indicated in the Provision on Awarding and Verification of Qualifications for Inland Navigation Vessel Crew Members;
    - minutes of meeting of the state qualification commission (for issuance of the qualification certificate);
    - copies of certificates on completion of training in compliance with international and national requirements approved by the educational and training institutions;
    - a copy of inland navigation vessel deck crew member qualification certificate or other previously issued document that verifies qualification of the inland navigation vessel deck crew member (for the renewal);
    - copies of all inland navigation vessel crew member service record book pages that have records on them;
    - a copy of the vessel radio operator certificate (for captains, boatmasters);
    - a copy of the passenger navigation specialist certificate (for passenger vessel crew members responsible for taking measures in the event of extraordinary situations on board such vessels);
    - a copy of the qualification certificate of a specialist navigating a vessel that uses liquefied gas as its fuel (for captains of the vessels that use liquefied natural gas as its fuel and for crew members of such vessels who participate in these vessels bunkering with liquefied natural gas);

- a copy of the standard form document on medical fitness for work on vessels (medical reference);
  - a copy of the document verifying payment of the administrative fee;
  - the personal information processing consent;
    - b.** for issuance of the special permit for vessel captain (boatmaster):
  - copies of personal identification and Ukrainian citizenship verification documents or copies of pages of a foreign citizen or stateless person identification documents (for respective categories of persons) that contain data on the given name, family name, and date of birth of its bearer and his/her photo;
  - minutes of meeting of the state qualification commission;
  - copies of the documents that verify compliance with requirements as to age, professional competence, administrative suitability, and captain (boatmaster) service record in compliance with the Provision on Awarding and Verification of Inland Navigation Vessel Crew Member Qualifications;
  - a copy of the inland navigation vessel deck crew member qualification certificate;
  - a copy of the document verifying payment of the administrative fee;
  - the personal information processing consent;
    - c.** for renewal of the special permit for vessel captain (boatmaster):
  - copies of personal identification and Ukrainian citizenship verification documents or copies of pages of a foreign citizen or stateless person identification documents (for respective categories of persons) that contain data on the given name, family name, and date of birth of its bearer and his/her photo;
  - a copy of the standard form document on medical fitness for work on vessels (medical reference);
  - the captain (boatmaster) special permit issued previously;
  - a copy of the document verifying payment of the administrative fee;
  - the personal information processing consent.
- The application and its supplementary documents shall be submitted in the written or electronic format to the central authority of executive power implementing state policy in the area of inland water transport.
6. Issuance of the inland navigation vessel deck crew member qualification certificate, the vessel captain (boatmaster) special permit shall be carried out upon successful passing of examination that includes theoretical knowledge assessment and/or performance of practical tasks according to the scope and procedures established by respective training curricula. The examination shall be conducted by the state qualification commission, a collegial authority established by the central authority of executive power implementing state policy in the area of inland water transport (including remotely).
- In instances provided under the Provision on Awarding and Verification of Inland Navigation Vessel Crew Member Qualifications, the replacement of the inland navigation vessel deck crew member qualification certificate, replacement shall be carried out upon successful passing of the exam provided under paragraph one of this part.
- The state qualification commission shall include persons with qualification sufficient for conducting such exams and who are free of any conflict of interests. Qualification requirements for the state qualification commission members shall be established by the provision on Awarding and Verification of Inland Navigation Vessel Crew Member Qualifications.
- The inland navigation vessel deck crew member qualification certificate (for captain, boatmaster), the special permit to navigate under the conditions of limited visibility using the radar, the qualification certificate of a specialist navigating a vessel that uses liquefied gas as its fuel, the qualification certificate of a passenger vessel specialist shall be issued upon successful passing of the practical exam on board a vessel or using respective simulator equipment.



The special permit for navigation on the sections of the inland waterways that constitute specific risks to navigation shall be issued for the captain (boatmaster) who has additional competence according to the legislatively established scope, upon successful passing of the exam and practical tasks with the use of respective simulator equipment.

In the event of successful passing of the exams, on the day of the last exam, the qualification commission shall compile and provide to the person the minutes of meeting on the passing of the exams according to the standard form established the Provision on Awarding and Verification of Inland Navigation Vessel Crew Member Qualifications.

The renewal of the inland navigation vessel crew member certificate, the vessel captain (boatmaster) special permit, with the exception of the passenger vessel specialist certificate and the qualification certificate of a specialist navigating a vessel that uses liquefied gas as its fuel, shall be carried out upon its expiry without passing of the exams, under the condition of the applicant's compliance with the requirements established by the Provision on Awarding and Verification of Inland Navigation Vessel Crew Member Qualifications.

Renewal of the passenger vessel specialist certificate shall be carried out upon successful passing of the exam provided under this article.

7. The exchange, issuance, and renewal of an inland navigation vessel deck crew member qualification certificates, inland navigation vessel captain (boatmaster) special permits constitute a chargeable administrative service.

The rate of the administrative service fee shall be as follows:

- a. for the issuance, exchange, renewal of an inland navigation vessel deck crew member qualification certificates, inland navigation vessel captain (boatmaster) special permits within three business days upon the day of submission of the application - 2.02 times the minimum cost of living established for employable persons as of 1 January of the calendar year;
  - b. for the issuance, exchange, renewal of an inland navigation vessel deck crew member qualification certificates, inland navigation vessel captain (boatmaster) special permits within 10 business days upon the day of submission of the application - 1.5 times the minimum cost of living established for employable persons as of 1 January of the calendar year;
  - c. for the issuance, exchange, renewal of an inland navigation vessel deck crew member qualification certificates, inland navigation vessel captain (boatmaster) special permits within 20 business days upon the day of submission of the application - 0.2 times the minimum cost of living established for employable persons as of 1 January of the calendar year.
8. The following shall constitute grounds for refusal to issue, exchange, renew the inland navigation vessel deck crew member qualification certificate, the inland navigation vessel captain (boatmaster) special permit:
    - a. failure to submit the document provided under part five of this article;
    - b. application of issuance submitted by a physical person who has not reach the age provided under the Provision on Awarding and Verification of Inland Navigation Vessel Crew Member Qualifications or by a representative with no documented right to obtain the document;
    - c. discovery of inaccurate information in the documents submitted.
    - d. failure to pay the administrative fee.
  9. The validity of an inland navigation vessel deck crew member qualification certificate, a special captain (boatmaster) permit may be temporarily suspended (for no more than 30 days) by the central authority of executive power that implements state policy in the areas of inland water transport for reasons of safety and ensuring public order.

The inland navigation vessel deck crew member qualification certificate, the inland navigation vessel captain (boatmaster) special permit may be terminated by the central authority of executive power that implements state policy in the areas of inland water

transport in the event that the person who obtained the relevant document fails to comply with the established requirements.

The procedure for the temporary suspension of the inland navigation vessel deck crew member qualification certificate, the procedure of notification of any interested parties, as well as the procedure for the establishment of the failure of the person having obtained the relevant document to comply with the established requirements shall be approved by the central authority of executive power that ensures development of state policy in the area of inland water transport.

- 10.** Qualification documents for inland navigation vessel crew members shall be withdrawn on the basis of a court decision.
- 11.** Qualification documents for inland navigation vessel crew members issued by competent authorities of European Union member states shall be recognized as qualification verifying documents on inland waterways of Ukraine.
- 12.** The keeping of the Register of Deck Crew Member Qualification Certificates and Service Record Books, other Qualification Documents for Ukrainian Inland Navigation Vessel Crew Members and Special Permits for Captains (Boatmasters) shall be ensured by the central authority of executive power implementing state policy in the area of inland water transport.
- 13.** Inland navigation vessel crew member training shall be carried out by educational institutions determined (approved) according to the procedure established by the legislation. Requirements to the educational training curricula, the simulator equipment, the inland navigation vessels that are used for performance of the practical tasks in the course of training and examination shall be established by the central authority of executive power that ensures development of state policy in the area of inland water transport, taking into account any relevant European standards and national requirements.

Inland waterway transport education standards according to which inland navigation vessel crew member training is carried out shall be approved by the central authority of executive power that ensures development of state policy in the area of education and science with the approval of the central authority of executive power that ensures development of state policy in the area of inland water transport.
- 14.** Inland navigating vessel crew members and candidates shall undergo preliminary and periodic medical examinations and shall obtain a verifying medical report. The procedure, frequency, and the age-related scope of the medical examinations for crew members as well as the list of the healthcare institutions that carry out the examinations, and the standard form of the relevant medical reference shall be determined by a document issued by the central authority of executive power ensuring development of state policy in the area of healthcare and approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

The list of medical counter-indications (diseases and defects) in the event of presence of which a person may not be permitted to work as an inland navigation vessel crew member shall be established by the central authority of executive power that ensures development of state policy in the area of healthcare.
- 15.** Enterprises, organizations, institutions regardless of their ownership type, authorities of state power or local self-government, physical person entrepreneurs processing vessel crew member personal data shall take every necessary measure for such data protection in compliance with the Law of Ukraine *On Protection of Personal Data*.
- 16.** Operation of vessels with crew members who do not carry with them their valid qualification documents and special permits provided under the legislation shall be prohibited on inland waterways of Ukraine.
- 17.** Requirements of this article shall not cover crew members of pleasure craft, sport vessels, as well as vessels engaged in movement of non-self-propelled ferries.

### **Article 31. Vessel Documents for Inland Navigation Vessel**

1. In the course of its operation, any Ukrainian manned inland navigation vessel, floating equipment shall carry the following vessel documents aboard:
  - a. the vessel ownership certificate (copy);
  - b. the certificate of the right to navigate under the State Flag of Ukraine (the vessel patent) or the certificate of temporary right to navigate under the State Flag of Ukraine;
  - c. the certificate of classification (in instances provided by law);
  - d. the inland navigation vessel certificate or the temporary inland navigation vessel certificate;
  - e. the inland navigation vessel tonnage certificate - for the vessels conducting cargo shipping;
  - f. the vessel roll (vessel crew member list);
  - g. the passenger list (if applicable);
  - h. the vessel logbook (ship log);
  - i. the documents provided under the rules of registration of operations pertaining to harmful substances on vessels, in sea and river ports and terminals;
  - j. the documents related to transportation of dangerous goods - for the vessel transporting such cargo;
  - k. the permit to operate vessel radio station (if applicable).

The passenger list shall be mandatory for passenger vessels with overnight accommodation compartments.

The vessel setting out on international voyage shall also carry documents provided under international treaties of Ukraine.

2. Ukrainian uncrewed inland navigation vessel shall carry the following vessel documents:
  - a. the vessel ownership certificate (copy);
  - b. the certificate of the right to navigate under the State Flag of Ukraine (the vessel patent);
  - c. the certificate of classification (in instances provided by law);
  - d. the inland navigation vessel certificate or the temporary inland navigation vessel certificate;
  - e. the inland navigation vessel tonnage certificate - for the vessels conducting cargo shipping.
3. For uncrewed vessels it shall be permitted not to carry the vessel documents if there is a metal or plastic plate affixed to its board indicating the unique European Identification Number of the vessel, the name of the recognized classification society, the number of its inland navigation vessel certificate and its expiry date. The information indicated on the metal or plastic plate shall comply with the information contained in the inland navigation vessel certificate (the vessel certificate, the certificate of registry) and shall be verified by a stamp affixed to the plate by the recognized classification society. In this event the vessel documents shall be carried on board the tow boat (if this uncrewed vessel is a part of vessel convoy).
4. In the event of availability on board a vessel of vessel documents provided under the Merchant Shipping Code of Ukraine for a maritime vessel, the availability of documents provided under parts one and two of this article shall not be required.
5. The certificate of the right to navigate under the State Flag of Ukraine (the certificate of the temporary right to navigate under the State Flag of Ukraine), the vessel ownership certificate shall be issued by the central authority of executive power implementing state policy in the area of inland water transport according to the standard form established by the central authority of executive power ensuring development of state policy in the area of inland water transport.
6. The certificate of classification shall be issued by a classification society selected by the vessel holder, according to the standard form established by the rules of the classification society.

The validity term of the certificate of classification shall be determined by the classification society in accordance with its rules.

7. The inland navigation vessel certificate or the temporary inland navigation vessel certificate, the additional inland navigation vessel certificate shall be issued by the recognized classification society selected by the vessel holder, on behalf of the state, according to the results of the technical inspection.

The procedure for technical oversight of vessel shall be developed with regard to international treaties of Ukraine and shall be approved by the central authority of executive power ensuring development of state policy in the area of sea and inland water transport. Any inland navigation vessel may have only one valid inland navigation vessel certificate or temporary inland navigation vessel certificate.

The validity term of the inland navigation vessel certificate shall be established according to the procedure for technical oversight of vessels and shall not exceed ten years, with the exception of certificates for passenger and high-speed vessels, vessels carrying dangerous goods the validity term of which shall not exceed five years.

In instances provided under the legislation, the validity term of the inland navigation vessel certificates (with the exception of the temporary inland navigation vessel certificate) may be extended by the recognized classification society that had issued such certificate for a term of up to six months without conducting of a technical inspection, which shall be indicated in the inland navigation vessel certificate.

In the instances provided under the procedure for technical oversight of vessel developed and approved by the central authority of executive power ensuring development of state policy in the area of sea and inland water transport with regard to international treaties of Ukraine, issuance of a temporary inland navigation vessel certificate shall be permitted for inland navigation vessels and floating constructions.

The recognized classification society shall annul inland navigation vessel certificate in the event of the vessel's incompliance with the technical requirements established by the legislation.

In instances provided under the legislation, the recognized classification society shall refuse issuing or renewing an inland navigation vessel certificate.

The standard form, the procedure of issuance, extension of the term of validity, replacement, and annulment of the inland navigation vessel certificate and the temporary inland navigation vessel certificate shall be established by the procedure for technical oversight of vessels.

8. The central authority of executive power that implements state policy in the area of inland water transport shall keep the Register of Certificates Issued for Inland Navigation Vessels and shall publish it on its official website; it shall also enter the relevant information on the vessels and the certificates issued into the European Hull Database.

The Procedure for Keeping of the Register of Certificates Issued for Inland Navigation Vessels, the scope of the data, the procedure for its publication and amendment shall be established according to the vessel oversight procedure.

9. Any inland navigation vessel logbook shall be subject to mandatory registration.

The vessel logbook registration shall be carried out by the central authority of executive power implementing state policy in the area of inland water transport free of charge on the basis of an application of the boatmaster or his/her authorized representative. The application shall be submitted to the central authority of executive power implementing state policy in the area of inland water transport in the paper format. The original of the vessel logbook and a copy of the certificate of the right to navigate under the State Flag of Ukraine shall supplement the application.

The standard form of the vessel logbook and the order of its keeping shall be approved by the central authority of executive power that ensures development of state policy in the area of inland water transport.

The keeping of the Register of the registered vessel logbooks shall be ensured by the central authority of executive power implementing state policy in the area of inland water transport according to the procedure approved by the central authority of executive power ensuring development of state policy in the area of inland water transport, and shall be published it on its official website.

10. Registration of operations with dangerous substances on vessels shall be conducted according to the rules of registration of operations with harmful substances on vessels, at sea and river ports and terminals approved by the central authority of executive power ensuring development of state policy in the area of inland water transport with regard to requirements of international treaties of Ukraine.
11. The permit to operate the vessel radio station shall be issued by the national commission responsible for state regulation in the area of communication and informational support according to the law.

### **Article 32. Registration of Inland Navigation Vessels**

1. Inland navigation vessels shall be registered in the State Vessel Register of Ukraine. At the time of its first registration, an inland navigation vessel that at the time of its registration in Ukraine had not had its own unique European Vessel Identification Number shall acquire such a number, the data on shall be recorded in the inland navigation vessels certificate or the temporary inland navigation vessel certificate, in the certificate of the right to navigate under the State Flag of Ukraine, or the certificate of the temporary right to navigate under the State Flag of Ukraine.

The unique European Vessel Identification Number shall not change during the entire period of vessel operation.

2. The authorities and conditions for registration of inland navigation vessels in the State Vessel Register of Ukraine shall be established by the Merchant Marine Code of Ukraine and this Law.
3. The right to navigate under the State Flag of Ukraine shall be granted to a vessel owned by a physical individual citizen of Ukraine, economic entity registered within the territory of Ukraine, or to a vessel operated by the abovementioned persons/entities according to bare-boat charter agreement (with the exception of the vessels under the flag of an aggressor state or vessels owned by the vessel owners or vessel holders, or the participants (shareholders, members) or ultimate beneficiary owners of whose owners or holders are citizens of a state determined by Ukraine to be an aggressor state or an occupant state, legal entities registered within the territory of a state determined by Ukraine as an aggressor state or an occupant state, a state determined by Ukraine as an aggressor state or an occupant state, physical individuals and legal entities subject to special economic and other restrictive measures (sanctions) in accordance with the Law of Ukraine *On Sanctions*).

### **Article 33. Classification and Technical Oversight of Inland Navigation Vessels**

1. Classification of inland navigation vessels shall be conducted by a classification society selected by the vessel holder.
2. Technical oversight of inland navigation vessel compliance with requirements for inland navigation vessels, requirements established by international treaties of Ukraine shall be conducted by the recognized classification society selected by the vessel holder, that executed a respective bilateral agreement with the central authority of executive power implementing state policy in the area of inland water transport. A list of such classification societies shall be published on its official website by the central authority of executive power implementing state policy in the area of inland water transport.

The procedure for recognition, recognition termination, the selection criteria for the classification societies that carry out technical oversight of inland navigation vessel and carry out their technical inspection shall be approved by the central authority of executive power that ensures development and implementation of state policy in the area of inland water transport, with regard to international treaties of Ukraine and taking into account requirements of the legislation of the European Union. The above-mentioned procedure

shall establish the procedures for control of (oversight over) such classification societies' compliance with the requirements established by the national and international legislation, the procedure for execution of agreements with them, the standard form of such agreements.

Recognition of a classification society may be terminated by the central authority of executive power implementing state policy in the area of inland water transport, in particular in the event of the classification society's incompliance with legislatively established requirements.

3. Control, monitoring, and oversight over the technical oversight conducted by the recognized classification societies regarding compliance of inland navigation vessels with technical requirements for inland navigation vessels and requirements established by international treaties of Ukraine and the European Union legislation shall be carried out by the central authority of executive power implementing state policy in the area of inland water transport acting as competent authority in the area of control and compliance with technical requirements on vessels, as well as cooperating with relevant competent authorities of other states.
4. For the purpose of verification of compliance of the technical condition of inland navigation vessels with the requirements established by the legislation for inland waterway navigation, the recognized classification society carries out the primary, regular, special and voluntary technical vessel inspections. Inland navigation vessel certificates are issued (renewed) according to the results of primary and regular technical inspections.

Navigation of an inland navigation vessel in violation of its technical condition indicated in its inland navigation vessel certificate shall be prohibited.

In the event of capital repair or significant modification of the vessel design that has an impact on its strength, maneuverability, and other major characteristics, prior to operation of such a vessel, it shall undergo a special inspection; based on the results of the inspection relevant amends shall be introduced to its inland navigation vessel certificate.

The procedure for performance of primary, regular, special, and voluntary vessel inspections, the conditions, the scope and the documents provided to conduct vessel technical oversight shall be established by the procedure for technical oversight of vessels with regard to legislation of the European Union.

## **Chapter VI**

### **SMALL VESSELS, SPORT CRAFTS, AND WATER MOTORCYCLES. RECREATIONAL WATER CRAFTS**

#### **Article 34. Navigation of Small Vessels, Sport Crafts and Water Motorcycles. Conducting Water Recreation Activities**

1. Small vessels and water motorcycles shall be permitted to navigate under the condition of their compliance with requirements of safety of navigation, environmental protection, respective qualification of their boatmasters, compliance with conditions of passenger health and life safety requirements and availability of necessary vessel documents.
2. Conditions for navigation of sport crafts in the course of sport competitions shall be established by the rules of the sport competitions that, in accordance with the law shall, be registered by the central authority of executive power ensuring development of the state policy in the area of physical culture and sport.
3. The local rules of navigation for small vessels, sport crafts and water motorcycles, use of water recreational crafts, placement of floating structures shall be developed and, upon consent of the central authority of executive power implementing state policy in the area of inland water transport, approved by the local state administrations. The rules establish requirements for operation of small vessels, sport crafts, water motorcycles and recreational water crafts on water objects, which are of local nature and are not provided for under the rules of navigation on inland waterways.

The templet (standard form of) local rules of navigation for small vessels, sport crafts and water motorcycles, and use of recreational water crafts shall be developed and approved by

the central authority of executive power that ensures development of state policy in the area of inland water transport.

4. The sites for conducting water recreation with the use of water motorcycles and recreational water crafts shall be established by local state administration upon consent of the central authority of executive power implementing state policy in the area of inland water transport and the central authority of executive power implementing state policy in the area of civil defense; and in the controlled borderline zone - by the authorities the State Border Guard Service of Ukraine in whose zone or section of responsibility these places are situated.
5. Navigation peculiarities of small vessels, sport crafts and water motorcycles, as well as safe operation of stationing sites for small vessels and sport craft stationing sites in the controlled borderline region established by the Law of Ukraine *On the State Border of Ukraine* and shall be included in the local navigation rules for small, sport crafts and water motorcycles and rules for use of recreational water crafts, according to the law. These local rules shall also be approved by the authorities of the State Border Guard Service of Ukraine in whose zone or section of responsibility these places are situated.
6. During navigation, there shall be available personal flotation devices on board of any small motor vessel in the quantity that is no fewer than the number of people aboard. These devices shall be easily accessible for people located on board the vessel. The boatmaster of a small vessel shall be entitled to decide on mandatory donning of the devices by the people on board the vessel in the event of threat to human life, in particular any unfavorable weather conditions, dangerous water undulation, intensive vessel traffic.  
Children under 12 years of age on board of small motor vessel equipped with a mechanical engine (engines) with total maximum capacity of and greater than 12 kilowatts as well as any persons on water motorcycles shall wear personal floatation devices during the vessel movement, with the exception of instances of their stay inside enclosed compartments of such small vessel.  
In the course of sport events, the decision of donning personal floating devices by athletes shall be made by the organizer of such events.

#### **Article 35. Registration of Small Vessels and Sport Crafts, and Water Motorcycles**

1. Small vessels, sport crafts and water motorcycles shall be registered in the Vessel Book of Ukraine and shall be verified by the vessel certificate (vessel ticket) issued with no expiry date (with the exception of temporary registration).  
The vessel ticket may be issued for a vessel owned by a physical individual a citizen of Ukraine, a physical entity entrepreneur, an economic entity registered within the territory of Ukraine, or to a vessel operated by the above-mentioned persons/entities according to bare-boat charter agreement (with the exception of the vessels owned by the vessel owners or vessel holder who are citizens of a state determined by Ukraine as an aggressor state or an occupant state, or economic entities that are registered on the territory of a state determined by Ukraine as an aggressor state or an occupant state, legal entities registered on the territory of Ukraine the participants (shareholders, members) or ultimate beneficiary owners of which are citizens of a state determined by Ukraine to be an aggressor state or an occupant state, legal entities registered within the territory of a state determined by Ukraine as an aggressor state or an occupant state, the participants (shareholders, members) or ultimate beneficiary owners of which is a state determined by Ukraine as an aggressor state or an occupant state, physical individuals and legal entities subject to special economic and other restrictive measures (sanctions) in accordance with the Law of Ukraine *On Sanctions*).
2. The following vessels are subject to mandatory registration in the Vessel Book of Ukraine:
  - a. small motor vessels equipped by mechanically propelled engine (engines) with the maximum capacity equal to or exceeding 10 kilowatts;
  - b. small vessels with the length exceeding 4 meters, regardless of availability of a mechanically propelled engine (with the exception of row boats (kayaks), canoes, gondolas, catamarans (water bicycles), and copies of historical vessels);

- c. small vessels used for fishery industry activity, shipping of cargo and/or passengers for the purpose of economic activity (with the exception of row boats (kayaks), canoes, gondolas, catamarans (water bicycles), and copies of historical vessels);
  - d. water motorcycles, sail pleasure craft with the length of from 4 to 20 meters”.
- 3. Registration of other small vessels, sport crafts, historical copies of vessel, other vessels not subject to mandatory registration shall be conducted in the Vessel Book of Ukraine at the request of the vessel holder.  
Recreational water crafts shall not be subject to registration in the Vessel Book of Ukraine.
- 4. A foreign vessel chartered under a bare-boat charter agreement may be temporarily registered in the Vessel Book of Ukraine for a period that does not exceed the term of this agreement in the event that at the time of the vessel registration it was not included in any vessel register of another state or if such vessel had been registered in a vessel register of another state but the relevant registration entry has been terminated or a permission is obtained from an authorized body of the country of foreign registration of the vessel for its temporary registration in Ukraine. In such event the vessel ticket shall be issued for the duration of the temporary registration in the Vessel Book of Ukraine.
- 5. A vessel shall be removed from the Vessel Book of Ukraine (termination of registration):
  - a. at the request of the vessel holder;
  - b. in the event of a wreck or missing vessel;
  - c. if vessel is recognized as unfit for further operation;
  - d. upon expiry of the bare-boat charter agreement.
- 6. The procedure for vessel registration in the Vessel Book of Ukraine, registration of amendments to the Vessel Book of Ukraine, the standard form of the vessel ticket, the certificate of vessel removal from the Vessel Book of Ukraine, the certificate of temporary registration in the Vessel Book of Ukraine shall be established by the central authority of executive power ensuring development of state policy in the area of inland water transport with regard to the registration conditions including its termination defined by this Law.

### **Article 36. Vessel Registration in the Vessel Book of Ukraine**

1. Vessel registration in the Vessel Book of Ukraine shall be carried out by the central authority of executive power implementing state policy in the area of inland water transport and verified by the vessel ticket. Termination of vessel registration in the Vessel Book of Ukraine shall be verified by the certificate of vessel removal from the Vessel Book of Ukraine or the certificate of temporary vessel removal from the Vessel Book of Ukraine.
2. The documents provided in part one of this article shall be issued by the central authority of executive power implementing state policy in the area of inland water transport.  
In the event of amendments requiring correction of any data included in the Vessel Book of Ukraine, the central authority of executive power implementing state policy in the area of inland water transport shall issue new documents and make relevant amend to the Vessel Book of Ukraine. While the document subject to replacement shall be returned to the central authority of executive power implementing state policy in the area of inland water transport.  
The applicant shall submit documents for the registration of amends to the Vessel Book of Ukraine within 60 calendar days from the day of emergence of the change causing it.  
Issuance of new documents replacing the lost ones shall be carried out upon publication of an announcement on the loss of the documents and declaring them void in mass media by the vessel holder at his/her expense.
3. Registration or temporary registration of a vessel in the Vessel Book of Ukraine, removal or temporary removal of a vessel from the Vessel Book of Ukraine (termination or temporary termination of registration), introduction of amends to the Vessel Book of Ukraine, issuance of new documents replacing the lost ones constitute chargeable services (with the exception of vessel’s exclusion from the Vessel Book of Ukraine in the event of its wreck, loss or going missing or its recognition as unfit for further operation, in which even the registration shall be carried out free of charge).



Registration or temporary registration of a vessel in the Vessel Book of Ukraine, removal or temporary removal of a vessel from the Vessel Book of Ukraine, introduction of amends to the Vessel Book of Ukraine, issuance of new documents to replace the lost shall be carried out within five business days upon the acceptance of the relevant application. At the request of the applicant, the registration activities mentioned above shall carried out within two business days upon the acceptance of the relevant application. In the event that the applicant wishes to receive the documents by mail, the documents shall be sent no later than the following business day upon fulfillment of the registration activities.

Registration or temporary registration of a vessel in the Vessel Book of Ukraine, removal or temporary removal of a vessel from the Vessel Book of Ukraine (with the exception of vessel's exclusion from the Vessel Book of Ukraine in the event of its wreck, loss or going missing or its recognition as unfit for further operation), introduction of amends to the Vessel Book of Ukraine shall be subject to a registration fee at the rate of 0.5 the minimum cost of living established for employable persons as of 1 January of the calendar year. In the event of introduction of amendments to the Vessel Book of Ukraine caused by adoption of a decision to amend the name of the administrative and territorial unit or relocation of any boundary of any administrative and territorial unit, renaming of a street – no registration fee shall be charged.

Registration or temporary registration of a vessel in the Vessel Book of Ukraine, removal or temporary removal of a vessel from the Vessel Book of Ukraine, introduction of amends to the Vessel Book of Ukraine within two business days upon the day of registration of the application shall be subject to a registration fee at the rate of one minimum cost of living established for employable persons as of 1 January of the calendar year.

Issuance of new documents to replace the lost ones shall be subject to a registration fee at the rate of 0.25 the minimum cost of living established for employable persons as of 1 January of the calendar year.

Issuance of new documents to replace the lost ones within two business days upon the day of registration of the application shall be subject to a registration fee at the rate of 0.5 the minimum cost of living established for employable persons as of 1 January of the calendar year.

4. An application for registration or temporary registration of a vessel in the Vessel Book of Ukraine, removal or temporary removal of a vessel from the Vessel Book of Ukraine, introduction of amends to the Vessel Book of Ukraine, and supporting documents attached to the application shall be submitted to the central authority of executive power implementing state policy in the area of inland water transport in one of the following ways:

- 1) personally by the vessel holder or his/her authorized representative;
- 2) sent by mail with delivery confirmation and description of content;
- 3) in the electronic format.

The application shall include a specific indication of the way the applicant wishes to receive the relevant document (by mail, personally or via a representative) and the term for conducting of the registration activity (regular or within two business days from the date of the application registration).

A copy of the vessel owner identification document that verifies his/her citizenship shall be certified by its holder. Any documents issued in a foreign language shall be supplemented by duly certified translation into the state language. A document description list signed by the applicant shall also be attached to the application. In the event of electronic submission, the original of the application and copies of documents attached thereto shall be provided prior to obtaining of the respective document.

5. The following documents shall be submitted together with the application for vessel registration in the Vessel Book of Ukraine:
  - a. a copy of the document verifying lawful obtaining of the vessel or verifying lawfulness of the property rights to the vessel;

- b. the vessel ticket (if the vessel is temporarily registered in the Vessel Book of Ukraine and the validity term of the vessel ticket has not yet expired);
- c. a document verifying technical characteristics of the vessel;
- d. documents proving loss of right to navigate under the flag of another state or cancellation of a record in a foreign vessel register (if the vessel was previously registered in a vessel register of another state);
- e. a written permit of the pledge holder for registration in the Vessel Book of Ukraine (if the vessel is under pledge);
- f. a copy of the document verifying payment of the registration fee;
- g. copies of documents verifying identity of the vessel owner and verify his/her citizenship, his/her taxpayer registration card number (if applicable) - for the vessels owned by physical individuals; copies of statutory documents and reference from the Unified State Register of Legal Entities, Physical Persons Entrepreneurs, and Public Formations - for the vessels owned by legal entities; copies of documents that verify identity of the vessel owner, its taxpayer registration card number, reference from the Unified State Register of Legal Entities, Physical Persons Entrepreneurs, and Public Formations - for the vessels owned by physical persons entrepreneurs.

For temporary registration of a foreign vessel chartered according to bare-boat charter agreement, the application shall also be supplemented with the following documents:

- a copy of the charter agreement;
- a written permit of the vessel owner for temporary registration in Ukraine;
- a written permit of a competent authority of the foreign vessel registration state for its temporary registration in Ukraine (in the event provided under part four of article 35 of this Law);
- a written permit of pledge holder for temporary registration in Ukraine (if the vessel is under pledge).

The application for removal or temporary removal of a vessel from the Vessel Book of Ukraine shall also be supplemented with the following documents:

- a written explanation by the applicant of the reasons for the need to remove the vessel from the Vessel Book of Ukraine (in the event of the vessel wreck, loss, or its recognition as unfit for further operation);
- the vessel ticket or the mass media containing announcement on the loss and invalidation of the documents;
- a written permit of the pledge holder for cancellation of registration in the Vessel Book of Ukraine (if vessel is under pledge);
- a copy of the document verifying payment of the registration fee (with the exception of instances provided under this article).

The application for introduction of amendments to the Vessel Book of Ukraine shall be supplemented with the following documents:

- a written substantiation signed by applicant and documents supporting the need for introduction of the amend into the Vessel Book of Ukraine;
- the previously issued document subject to replacement.
- a copy of the document verifying payment of the registration fee.

The application for issuance of new documents replacing the lost ones shall be supplemented with a copy of the document verifying payment of the registration fee.

6. Acceptance of the application shall be the duty of the official duly authorized by the central authority of executive power implementing state policy in the area of inland water transport. At the time of the application acceptance, the official shall verify the availability of all required documents. The information contained in the submitted documents shall not be subject to verification at the time of acceptance of the application.

In the event of availability of all the necessary documents, the authorized official of the central authority of executive power implementing state policy in the area of inland water

transport shall be obligated to register the application indicating the date of its actual receipt. Availability of a mark (stamp) by the official receiving the application with indication of the date of its receipt or a postal notification of receipt (if sent by mail), or the relevant indication in the electronic account (if the application is submitted electronically), shall serve as proof of acceptance of an application.

7. Any refusal of the official of the central authority of executive power implementing state policy in the area of inland water transport to accept the application for any reason not established under this article, including requiring any preconditions regarding the acceptance which are not established under this article, shall be prohibited.  
In the event that the application is submitted with violations of requirements of this article, the official of the central authority of executive power implementing state policy in the area of inland water transport shall provide a written notification to the applicant regarding the refusal to accept his/her application with indication of reasons for such refusal within three business days after the date of the application receipt (together with the application and its supplementing document package).
8. In the event of a refusal to accept the application, the applicant shall be entitled to the following:
  - a. submit a corrected application;
  - b. to challenge the decision of the official of the central authority of executive power implementing state policy in the area of inland water transport according to the procedure established by the legislation.
9. According to the result of consideration of the application, the central authority of executive power implementing state policy in the area of inland water transport:
  - a. carries out registration or temporary registration of the vessel in the Vessel Book of Ukraine, termination or temporary termination of the vessel registration in the Vessel Book of Ukraine, amends data in the Vessel Book of Ukraine, issues new documents replacing the lost ones;
  - b. refuses registration or temporary registration of the vessel in the Vessel Book of Ukraine, termination or temporary termination of the vessel registration in the Vessel Book of Ukraine, amendment of data in the Vessel Book of Ukraine, issuance of new documents replacing the lost ones.
10. The following shall constitute the grounds for refusal to registrar or temporary registrar the vessel in the Vessel Book of Ukraine, terminate or temporary terminate the vessel registration in the Vessel Book of Ukraine, amend data in the Vessel Book of Ukraine, issue new documents replacing the lost ones:
  - a. failure to submit all the documents provided under this article;
  - b. submission of documents that contain inaccurate information;
  - c. incompliance of the documents submitted with requirements of the law.
11. In the event of a refusal to registrar or temporary registrar a vessel in the Vessel Book of Ukraine, terminate or temporary terminate a vessel registration in the Vessel Book of Ukraine, amend data in the Vessel Book of Ukraine, issue new documents replacing the lost ones, the central authority of executive power implementing state policy in the area of inland water transport shall send a relevant notification to the applicant within five business days upon the time of its receipt of the application or within two business days, if the applicant's request was to carry out registration within two business days upon the time of acceptance of the application.
12. The central authority of executive power implementing state policy in the area of inland water transport shall publish information on vessel registration in the Vessel Book of Ukraine on its official website.

### **Article 37. Vessel Documents for Small Vessels, Sport Crafts and Water Motorcycles**

1. Every vessel registered in the Vessel Book of Ukraine shall carry its vessel ticket, and the vessels subject to technical oversight shall also carry a certificate of fitness for navigation issued for the duration of no less than five years.

2. The list of documents for sport crafts and their issuance procedure shall be established by the law.

**Article 38. Technical Oversight of Small Vessels, Sport Crafts and Water Motorcycles**

1. Small vessels subject to mandatory registration in the Vessel Book of Ukraine shall be subject to technical oversight carried out in compliance with the procedure for performance of technical oversight of vessels.

Technical oversight of other small vessels may be performed voluntarily at the request of the vessel owner.

2. For the purposes of technical oversight, small vessels or water motorcycles shall be subject to the following inspections by the recognized classification society:
  - 1) primary inspection, according to the results of which the vessel or water motorcycle shall be issued a certificate of fitness for navigation by the recognized classification society;
  - 2) regular inspection, conducted upon expiry of the certificate of fitness for navigation, according to the results of which the vessel or water motorcycle shall be issued a new certificate;
  - 3) extraordinary inspection, according to the results of which the vessel or water motorcycle shall be issued a new certificate of fitness for navigation, and which shall be carried out: upon refitting of the vessel with replacement of its engine or substantial vessel hull construction change; upon any emergency event that leads to damage to the vessel hull.

**Article 39. Identification of Small Vessels, Sport Crafts and Water Motorcycles**

1. Identification of a vessel registered in the Vessel Book of Ukraine shall be carried out according to the identification number which is assigned to and inscribed on the vessel according to the procedure established by the central authority of executive power ensuring development of state policy in the area of inland water transport.
2. Small vessels and sport crafts equipped with stationary communication means shall be assigned call signs and identification numbers of maritime mobile service vessel station.

**Article 40. Rights and Obligation of a Small Vessel, Sport Craft and Water Motorcycle Boatmaster**

1. The boatmaster of a small vessel, sport craft or water motorcycle shall be responsible for ensuring safety of navigation of its vessel, in particular navigation (steering) of the vessel, taking every measure necessary to ensure safety of navigation and vessel security, prevention of vessel-caused environmental pollution, maintaining order onboard the vessel, prevention of any damage or harm to the vessel, people and cargo located onboard.
2. In the course of navigation, the boatmaster of a small vessel, sport craft or water motorcycle shall:
  - 1) observe safe vessel speed and manner of navigation, take every necessary measure to prevent the following:
    - endangering of human life and environment;
    - damage to other vessels, objects of inland water transport infrastructure;
    - injury inflicted to persons on board the vessels and near it;
  - 2) comply with requirements of this law, the rules of navigation on inland waterway and local rules of navigation for small vessels, sport crafts, and water motorcycles and rules for use of recreational water craft.
3. A boatmaster of a small vessel, sport crafts or water motorcycle shall abstain from:
  - a. navigating a vessel that is unregistered (with the exception of vessels not subject to registration) and/or has not been examined in the course of technical oversight, or a vessel that does not carry vessel documents provided under article 37 of this Law;
  - b. navigating a vessel with no qualification verification by a permanent international certificate certifying the right to navigate a pleasure craft or a small vessel / water motorcycle boatmaster certificate issued prior to the enactment of this Law;

- c. taking aboard people if their number exceeds the standards established by the manufacturer and/or the classification society, or exceeds the number of personal floatation devices available aboard;
  - d. violating restrictions of specific region and navigation speed limit;
  - e. navigating a vessel while intoxicated (alcohol, narcotic or other substances), tired or under the influence of medications that reduce vigilance and reaction rate;
  - f. navigating a vessel under conditions of limited visibility, in particular, in dark time of the day, without the use visual and audio signaling means that are prescribed under the rules of navigation on inland waterways;
  - g. dumping or allowing dumping of garbage, pollutants and any other items off the vessel.
4. Persons located on board of vessels in the controlled borderline region shall carry their personal identification documents in compliance with the law.

**Article 41. Requirements to Boatmasters of Small Vessels and Water Motorcycles**

1. The following persons may be permitted to navigate small vessels subject to mandatory registration in the Vessel Book of Ukraine and water motorcycles:
- 1). persons who reached 18 years of age;
  - 2). have the qualification verified by a permanent international certificate certifying the right to navigate a pleasure craft, a small vessel / water motorcycle boatmaster certificate issued prior to enactment of this Law.  
Training to navigate a small vessel or water motorcycle shall be delivered by an instructor who is permitted to navigate a relevant vessel and has navigational experience of no less than 2 years.
2. The procedure for training and qualification verification for small vessel and water motorcycle boatmasters, in particular, issuance of the international certificate certifying the right to navigate a pleasure craft, as well as the relevant training procedure shall be established by the central authority of executive power ensuring development of state policy in the area of inland water transport with regard to requirements of the legislation of the European Union.  
The persons who have the qualification of maritime or river vessel captain (boatmaster) or boatmaster shall be considered sufficiently qualified to navigate a small vessel and receive an international certificate certifying the right to navigate a pleasure craft on the basis of their valid maritime or river captain (boatmaster) qualification documents.
3. The list of medical counter-indications (diseases and defects) in the event of presence of which a person may not be permitted to navigate a small vessel subject to mandatory registration in the Vessel Book of Ukraine or a water motorcycle shall be determined by the central authority of executive power ensuring development of state policy in the area of healthcare.
4. A medical examination shall be conducted for the purpose of determining fitness of a boatmaster candidate for a small vessel subject to mandatory registration in the Vessel Book of Ukraine or a water motorcycle. The medical examination procedure shall be determined by an act of the central authority of executive power ensuring development of state policy in the area of healthcare with the approval of the central authority of executive power ensuring development of state policy in the area of maritime and inland water transport.
5. Issuance or renewal of the permanent international certificate certifying the right to navigate a pleasure craft shall constitute a chargeable administrative service, and it shall be conducted on the basis of an application. The application shall be submitted to the central authority of executive power implementing state policy in the area of inland water transport in the paper or electronic format.  
Issuance of the international certificate certifying the right to navigate a pleasure craft shall be carried out upon successful passing of the examination conducted by the qualification commission, a collegial authority established by the central authority of executive power implementing state policy in the area of inland water transport.

The qualification commission shall include persons with qualification sufficient for conducting such exams and who are free of any conflict of interests. Qualification requirements for the qualification commission members shall be established by the provision on the training and qualification verification for boatmasters of small vessels and water motorcycles developed and approved by the central authority of executive power ensuring development of state policy in the area of inland water transport with regard to requirements of the legislation of the European Union.

The international navigation certificate for pleasure craft shall be issued within five or ten business days upon passing of the examination. Renewal of the international certificate certifying the right to navigate a pleasure craft upon its expiry shall be carried out without the examination within five business days upon submission of the application.

6. Candidate qualification verification shall be conducted on the basis of an application supplemented with the following:
  - 1). a copy of the valid document verifying medical fitness to navigate a vessel (the original shall be produced);
  - 2). a copy of the minutes of meeting on passing of the examination;
  - 3). pleasure craft / small vessel boatmaster personal chart;
  - 4). a copy of the passport or other personal identification document (the original shall be produced);
  - 5). the personal information processing consent;
  - 6). a copy of the document verifying payment of the administrative fee;
  - 7). a copy of the document verifying successful passing of educational training at an approved training and simulation institution (the original shall be produced).
7. Issuance of an international certificate certifying the right to navigate a pleasure craft shall constitute a chargeable administrative service, the fee shall include the cost of the entire set of services necessary to obtain the administrative service.

The rate of the administrative service fee shall be as follows:  
In the event of the document issue no later than 10 business days upon submission of the application - 0.2 the minimum cost of living established for employable persons as of 1 January of the calendar year;  
In the event of the document issue no later than five business days upon submission of the application - 0.5 the minimum cost of living established for employable persons as of 1 January of the calendar year.
8. The following shall constitute the grounds for refusal to issue an international certificate certifying the right to navigate a pleasure craft:
  - 1). submission of incomplete set of documents;
  - 2). discovery of inaccurate information in the documents submitted.
9. Withdrawal of international certificates certifying the right to navigate a pleasure craft as well as small vessel /water motorcycle boatmaster certificates issued prior to enactment of this Law shall be carried out by court decision.

#### **Article 42. Small Vessel Stationing Bases**

1. Small vessel stationing bases shall be established for the purpose of providing safe holding anchorage, entering waterways in instances provided by the law, of repair, storage and maintenance of vessels, of small vessels, pleasure crafts and water motorcycles crew servicing.

Any use of a stationing base for small vessels which has not been commissioned according to procedure established by this Law shall be prohibited.
2. The decision on the opening of a small vessel stationing base shall be made by the local state administrations in compliance with the procedure established by the central authority of executive power ensuring development of state policy in the area of inland water transport. For the bases located on inland waterways such decision shall be made upon the consent of the central authority of executive power implementing state policy in the area of inland water transport; for the bases located on maritime waterways – upon consent of a sea port harbor

master responsible for state oversight of safety of maritime navigation within the relevant maritime waterway. The decision on the stationing of the fishery industry fleet vessels shall be made with the consent of the central authority of executive power implementing state policy in the area of fishery industry. Entry, departure and stationing of small vessels, sport crafts and water motorcycles within the sea port water area shall be conducted according to the Merchant Marine Code of Ukraine and the Law of Ukraine *On Sea Ports of Ukraine*.

3. The list of commissioned (open) small vessel stationing bases shall be published on the official website of the local state administrations.
4. The rules of safe operation of small vessel stationing bases shall be approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

The rules of safe operation of sport crafts stationing bases shall be approved according to the procedure established by the central authority of executive power that ensures development of state policy in the area of physical culture and sport.

#### **Article 43. Setting to Navigation by Small Vessels and Sport Crafts, and Water Motorcycles**

1. Setting to navigation by small vessels and sport crafts may be performed at any location on the shoreline, with the exception of the fishing (fishery) vessels, which may set out to navigation only at their stationing sites.

Locations prohibited for motor vessel setting to navigation shall be established by local rules of navigation for small vessels, sport crafts and water motorcycles and rules for use of recreational water crafts.

2. Setting to navigation by water motorcycles shall be performed exclusively in the locations (zones) authorized for recreational water activities established under article 44 of this Law.
3. Peculiarities of small vessels, sport crafts and water motorcycles setting to navigation within public inland waterways located within the state boarder line or the controlled border regions shall be established according to the legislation.

#### **Article 44. Organization of Water Recreational and Sport Events**

1. Organization of any recreational events with the use of water motorcycles and/or recreational water crafts as well as delivery of training courses on water motorcycle navigation shall be prohibited within all public inland waterways and public bodies of water with the exception of specifically designated areas (zones).

The areas (zones) designated for recreational events involving the use of water motorcycles shall be allocated beyond the limits of the navigable channel, navigable hydraulic engineering constructions, berth operational water areas, water object zone line designated according to the law for bathing and swimming, areas for divers, areas of small vessel accumulation and other water locations visited actively by people.

2. The decision on designation of these areas (zones) for water recreational activities involving the use of water motorcycles and/or recreational water crafts as well as the time designated to hold such activities shall be established by local authorities of executive power upon consent of the central authority of executive power implementing state policy in the area of inland water transport (on inland waterways) and the central authority of executive power implementing state policy in the area of civil defense.
3. Navigation of vessels other than water motorcycles and vessels towing recreational water crafts in the areas (zones) designated for recreational events during their established time shall be prohibited.
4. Water motorcycles relocation from one area (zone) to another area (zone) for water recreational purpose shall be permitted with observance of restricted safe speed established by the rules of navigation on inland waterways. In the course of such relocation, the water motorcycle boatmaster shall avoid the water object zone line designated according to the law for bathing and swimming, areas for divers, areas of small vessel accumulation and other locations visited actively by people.

5. Sports tournaments and other events involving sport crafts shall be held by their organizers according to the procedure established by the legislation. Agenda of any sport event involving sport craft navigation within the navigable channel and other inland waterways shall be coordinated by its organizer with the central authority of executive power implementing state policy in the area of inland water transport; for maritime waterways – with the sea port harbor master responsible for state oversight of safety of maritime navigation within the relevant maritime waterway.
6. Navigation of any motor vessels which are not taking part in the event organization shall be prohibited within any isolated areas of public inland waterways, designated beyond the boundaries of the navigable channel according to the local rules of navigation for small vessels, water motorcycles and recreational water crafts, where training and sport events are held with participation of rowing sport crafts and/or sail sport crafts.

## **Chapter VII NAVIGATION**

### **Article 45. Organization of Navigation. Classification of Inland Waterways**

1. Rules of inland waterway navigation are developed with regard to European inland waterway navigation regulations, classification of maritime and inland waterways and other legislative acts of the European Union and approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

Regarding establishment of navigational requirements for small vessels, sport crafts and water motorcycles, the rules of inland waterway navigation also apply to all public inland waterways (with the exception of the territorial sea, inland maritime waterways, and sea port water areas).
2. In order to ensure safety of navigation, maritime and inland waterway zones shall be established. The central authority of executive power that ensures development of state policy in the area of inland water transport shall establish classification characteristics of maritime and inland waterway zones, their criteria, shall approve their classification, and shall establish inland waterway sections with specific risks.
3. Entering into inland waterways of Ukraine shall be prohibited for the following:
  - vessels that navigate under the flag of an aggressor state;
  - vessels owned by citizens of an aggressor state or legal entities registered within the territory of an aggressor state, physical individuals and legal entities under special economic and any other restrictive measures (sanctions) according to the Law of Ukraine *On Sanctions*.

### **Article 46. Navigation Season**

1. Navigation season on inland waterways is year-round. The time gaps in navigation within inland waterways or its separate sections are established by the central authority of executive power implementing state policy in the area of inland water transport for the following period:
  - 1) establishment of weather conditions threatening to navigation (ambient temperature, ice condition);
  - 2) conducting scheduled preventive and repair works on the navigable hydraulic engineering constructions or movable-span structures of navigable movable-span bridges within inland waterways;
  - 3) seasonal replacement of floating elements for navigational equipment on specific sections.The owner of movable-span bridges located on inland waterways shall annually, prior to the 31<sup>st</sup> of December, provide information on scheduled for the year preventive and repair works to be performed on the movable-span structures of navigable movable-span bridges within inland waterways to the central authority of executive power implementing state policy in the area of inland water transport.
2. During the navigation season, the central authority of executive power implementing state policy in the area of inland water transport shall be entitled to temporarily suspend navigation on



individual sections of inland waterways indicating the duration for such suspension, in the event of the following:

- 1). performance of scheduled, emergency and rescue, and other urgent engineering works;
  - 2). performance of emergency and rescue, and other urgent works on navigable hydraulic engineering constructions or movable-span structures of navigable movable-span bridges within inland waterways;
  - 3). risk of natural or man-induced danger threatening safe vessel passing.
3. The central authority of executive power implementing state policy in the area of inland water transport shall ensure conveyance to vessels, ports (terminals) and other inland water transport stakeholders of information regarding established time gaps in navigation and temporary suspension of navigation on individual sections of inland waterways through the river information service and by means of publishing such information on their official website.

#### **Article 47. Organization of Vessel Pilotage on Inland Waterways**

1. Vessel pilotage on inland waterways is aimed to ensure safety of navigation and is carried out by river pilots. Pilotage services shall be provided to all vessels, including foreign, by the state pilotage organization.
2. The pilotage fee (payment for provision of pilotage services) shall be charged to the vessels that use river pilot services, the ultimate rate of which shall be established by the national commission carrying out state regulation in the area of transport. The central authority of executive power ensuring development of state policy in the area of inland water transport shall establish the procedure for payment of the pilotage fee (payment for provision of pilotage services), the standard form and the filling in requirements for the pilotage payment document that shall constitute the grounds for payment of the pilotage dues.

#### **Article 48. Requirements to the River Pilot**

1. The position of the river pilot may be occupied by a person whose professional qualification meets the requirements established by this Law which is verified by the river pilot certificate.  
The physical fitness of any river pilot shall meet the requirements established by the legislation for river vessel boatmasters.
2. The river pilot certificate shall be issued by the central authority of executive power implementing state policy in the area of inland water transport according to the procedure established by the provision on pilotage on inland waterways for a term that shall not exceed 10 years.
3. The river pilot certificate shall be issued on the basis of nomination by the state pilotage organization that has executed an employment agreement with the certificate candidate.  
The nomination by the state pilotage organization shall be submitted to the central authority of executive power implementing state policy in the area of inland water transport, in one of the following ways:
  - by the state pilotage organization authorized representative;
  - sent by mail with delivery confirmation and description of content;
  - in the electronic format.
  - The application shall contain specification as to the way the applicant desires to receive the relevant document (by mail, personally, or via a representative).

The following shall be provided together with the nomination by the state pilotage organization:

- 1). the river pilot certificate candidate's application;
- 2). a copy of the document verifying boatmaster qualification to navigate inland waterway vessels;
- 3). a document verifying vessel service record;
- 4). a copy of the document verifying successful completion of theoretical and practical river pilot training course by the candidate at a training and simulation facility that provides basic and advanced (qualification improvement) training for river pilots;

- 5). a copy of the minutes of meeting on successful passing of the examination with the qualification commission – the collegial body established by the central authority of executive power implementing state policy in the area of inland water transport;
- 6). a reference verifying completion of pilot internship course by the candidate;
- 7). standard medical fitness document;
- 8). a copy of the passport or other personal identification document;
- 9). a copy of the document verifying payment of the fee for the certificate issuance;
- 10). a written consent for personal data processing.

The procedure for pilot internship for the candidates seeking to obtain certificates in regions of mandatory and voluntary pilotage, requirements on vessel service record shall be established by the provision on vessel pilotage on inland waterways.

4. Issuance of the river pilot certificate for any river pilot requires payment of a fee at the rate of 1.08 the minimum wage for employable persons as of the 1<sup>st</sup> of January of the calendar year.
5. Issuance of the river pilot certificate to a river pilot shall be conducted by the central authority of executive power implementing state policy in the area of inland water transport within five business days upon the date of application by the state pilotage organization.
6. The following shall constitute grounds for refusal to issue a river pilot certificate:
  - 1). failure to submit the documents provided under part three of this article;
  - 2). discovery of inaccurate information in the documents submitted.
  - 3). incompliance of qualification, vessel service record, internship with requirements of this Law;
  - 4). the candidate's medical unfitness for work on vessels.

#### **Article 49. Vessel Pilotage on Inland Waterways**

1. In the regions of mandatory vessel pilotage on inland waterways, the maritime vessel captain who does not have an inland navigation vessel deck crew member certificate or a special permit provided under article 30 of this Law shall take a river pilot on board the vessel.
2. The procedure and conditions for mandatory and voluntary vessel pilotage on inland waterways and the procedure for captain (boatmaster) authorization to navigate without the river pilot in the regions of mandatory pilotage on inland waterways shall be established by the rules of navigation on inland waterways.
3. In voluntary pilotage regions, the vessel captain (boatmaster) may take a river pilot on board, if necessary.
4. The river pilot shall not be entitled to leave the vessel without captain's (boat master's) consent before it is anchored, moored in a safe location, leaves the mandatory pilotage region or until another river pilot arrives on board the vessel.
5. The state pilotage organization shall be responsible for any emergency that occurs due to the fault of the river pilot in the course of his/her duties.
6. The liability provided under part five of this article shall be limited to the sum that equals 10 percent of the deductions from the rate of the pilotage fees paid within the calendar year preceding the emergency event.

#### **Article 50. Differentiation of Pilot and Vessel Captain (Boatmaster) Authorities**

1. The presence of a river pilot on board does not relieve the vessel captain (boatmaster) of his/her vessel navigation responsibility. The vessel captain may authorize the river pilot to give instructions regarding vessel navigation to the deck officer which does not exempt the captain from his/her responsibility for consequences caused by the actions of the river pilot. In the event of exiting the pilot room during the vessel navigation, the captain shall inform the river pilot of the person responsible for vessel navigation during his/her absence.
2. If necessary, the river pilot shall be entitled to require to stop the navigation until complete elimination of obstacles obstructing safe navigation with appropriate indication in the vessel logbook.

#### **Article 51. Refusal of River Pilot to Perform Vessel Pilotage**

1. In the event that during vessel pilotage on inland waterways, the vessel captain (boatmaster) should act contrary to recommendations of the river pilot, the river pilot shall be entitled to refuse to continue pilotage and demand to record this refusal in the vessel logbook and pilotage receipt. In the event that such situation occurs within the mandatory pilotage region, the river pilot shall demand termination of navigation and inform the state pilotage organization and the central authority of executive power implementing state policy in the area of inland water transport of the refusal of vessel pilotage indicating the reason for such refusal. After refusing the vessel pilotage, the river pilot shall remain in the pilot room and, if necessary, provide to the captain information required for safe navigation.
2. At the request of the captain (boatmaster), the river pilot continues the vessel pilotage with relevant record made in the vessel logbook.
3. The state pilotage organization shall be responsible for any vessel delays or demurrage that should occurred through the organization's fault.

#### **Article 52. Refusal of the River Pilot Services**

1. The vessel captain (boatmaster) in doubt of the river pilot's recommendations shall be entitled to refuse the river pilot services. Should this occur within the mandatory vessel pilotage region, the captain (boatmaster) may stop navigation until arrival of another river pilot, and shall inform the state pilotage service of his/her refusal of the river pilot services.
2. The vessel captain (boatmaster) who submitted an application for pilotage and refused the river pilot services upon arrival of the river pilot, shall fill in and sign the pilotage receipt that will be used as the basis for payment for the pilotage of the vessel for which the river pilot was sent.

### **Chapter VIII TRANSPORTATION OF PASSENGERS AND CARGO**

#### **Article 53. International and Coastal Shipping**

1. Transportation of passengers and cargo in international voyages between river ports (terminals), other places of cargo processing on inland waterways of Ukraine, and foreign ports (terminals) may be carried out by Ukrainian and foreign vessels (with the exception of the vessels under the flag of an aggressor state or vessels owned by the vessel owners or vessel holders, or the participants (shareholders, members) or ultimate beneficiary owners of whose owners or holders are citizens of a state determined by Ukraine to be an aggressor state or an occupant state, legal entities registered within the territory of a state determined by Ukraine as an aggressor state or an occupant state, a state determined by Ukraine as an aggressor state or an occupant state, physical individuals and legal entities subject to special economic and other restrictive measures (sanctions) in accordance with the Law of Ukraine *On Sanctions*).
2. Transportation in coastal voyages between river ports (terminals), other places of performance of cargo processing operations on inland waterways of Ukraine, and/or sea ports (terminals) of Ukraine may be carried out by Ukrainian vessels or foreign vessels, the vessel holders of which are economic entities registered on the territory of Ukraine (with the exception of the vessels under the flag of an aggressor state or vessels owned by the vessel owners or vessel holders, or the participants (shareholders, members) or ultimate beneficiary owners of whose owners or holders are citizens of a state determined by Ukraine to be an aggressor state or an occupant state, legal entities registered within the territory of a state determined by Ukraine as an aggressor state or an occupant state, a state determined by Ukraine as an aggressor state or an occupant state, physical individuals and legal entities subject to special economic and other restrictive measures (sanctions) in accordance with the Law of Ukraine *On Sanctions*).

**Article 54. Economic Activity Licensing in the Area of Passenger and Cargo Shipping Services by Inland Water Transport**

1. The commercial activity of transportation of passengers, dangerous goods and dangerous waste on inland waterways shall be subject to licensing.

Licensing of the activity in the area of inland water transport and respective licensing conditions compliance control shall be carried out according to the Law of Ukraine *On Licensing of Types of Commercial Activity*.

Conditions for obtaining the license and the requirements to the license candidates shall be approved by the Cabinet of Ministers of Ukraine.

**Article 55. Peculiarities of Professional Competency Conditions for Cargo Carriers on Inland Waterways**

1. The carrier shall meet the requirements for professional competence provided under this article.
2. The carrier indicated in part one of this article shall be considered professionally competent in the event that the person performing the full-time cargo carriage activity management has a valid inland waterway carrier professional certificate.
3. The minimum requirements to the institutions offering training and professional competence assessment for inland waterway carrier and the procedure of their determination shall be established by the central authority of executive power ensuring development of state policy in the area of inland water transport.
4. The requirements and procedure for inland waterway carrier professional competency verification and the list of educational disciplines shall be approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.
5. Diplomas, certificates, other documents verifying professional competence of carriers issued by the European Union Member States as countries of their registration shall be recognized as compliant with requirements of this article on the basis of mutual recognition of diplomas, certificates, and other documents that verify professional competence of carriers.
6. Requirements of this article shall not apply to carriers transporting cargoes by inland waterways on vessels with deadweight below 200 tons at their maximum draught, and ferries.

**Article 56. Cargo Shipping Rules, Shipping Agreement**

1. The rules for inland water transport cargo shipping shall be developed and approved by the central authority of executive power that ensures development of state policy in the area of inland water transport.
2. The rules for transportation of dangerous goods on inland waterways in international voyages shall be established under international treaties of Ukraine. The procedure for application of these international treaties for transportation of dangerous goods in coastal voyages shall be developed and approved by the central authority of executive power that ensures development of state policy in the area of inland water transport.

The rules for inland water transport shipping of dangerous goods shall be developed and approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

3. Cargo Shipping by a vessel (vessel convoy) shall be carried out on the basis of a cargo transportation agreement (with the exception of transportation of cargo owned by the carrier).
4. The carrier shall execute a separate shipping document (waybill, internal bill of lading or bill of lading) for each instance of cargo transportation by an inland navigation vessel, including instances when transporting cargo owned by the carrier. The shipping document verifies the fact of cargo acceptance for transportation by the carrier in the condition described in the transport document.

Execution of a bill of lading for transit and international transportation shall be mandatory.

The standard form of the shipping document for inland waterway shipping in coastal (cabotage) voyages shall be approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

5. Unless otherwise provided under the shipping agreement, the carrier shall establish what vessel to use to carry the cargo. Prior to and in the beginning of a voyage the carrier, depending on the nature of the cargo to be shipped, shall take every necessary effort to ensure the vessel's capacity to accept the cargo, vessel navigability, its equipment, crew staffing, availability of documents onboard required for transportation the respective cargo.
6. The consignor entering into a shipping agreement with the carrier shall prior to the transfer of the cargo to the carrier provide information on the cargo subject to transportation, in particular:
  - 1) dimensions, number of packages, amount or the weight, and specific cargo stowage factor;
  - 2) marking required for cargo identification;
  - 3) cargo nature, properties and peculiarities;
  - 4) custom clearance regime information.

#### **Article 57. Passenger and Baggage Transportation and Servicing**

1. Transportation of passengers and baggage shall be performed on the basis of a passenger transportation agreement.
2. Individual or collective tickets shall be issued by the carrier in the event of passenger transportation.
3. In in the event of transportation of baggage, the carrier shall issue to the passenger a baggage receipt or other document containing information on the amount of baggage and its specifications.
4. The rules of carriage of passengers and baggage by vessels, as well as the rules of passenger servicing and baggage handling in ports (terminals) shall be developed and approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

#### **Article 58. Automated Accounting of Transportation on Inland Waterways**

1. The central authority of executive power that ensures development of state policy in the area of inland water transport shall organize implementation and ensure functioning of the information system of automated accounting of transportation on inland waterways operating as part of the river information service.
2. The information system for automated accounting of transportation on inland waterways shall ensure accounting, systematization, and processing of information on passenger, cargo, baggage, and/or mail carriage, use of river ports (terminals), other inland navigation vessel points of departure/destination for such carriage. The information on passenger transportation and cargo, baggage and/or mail carriage shall be entered into the information system according to the procedure established under article 66 of this Law.
3. The procedure for entering the data into the information system of automated accounting of transportation on inland waterways shall be approved by the central authority of executive power that ensures development of state policy in the area of inland water transport.

### **Chapter IX**

#### **SAFETY OF NAVIGATION ON INLAND WATERWAYS. STATE OVERSIGHT AND CONTROL**

#### **Article 59. Ensuring Safety of Navigation**

1. The central authority of executive power implementing state policy in the area of inland water transport and other entities within the power of their authorities shall be responsible for ensuring safety of navigation on inland waterways.
2. Safety of navigation on the territory of ports (terminals), berthing facilities and their operational water areas shall be ensured by the river ports (terminals).

The river port (terminal) shall develop, implement, and maintain its own management system for safety of navigation in compliance with the provision on management system for

safety of navigation on maritime and river transport, approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

3. River ports (terminals) that comply with the requirements provided under part two of this article and registered in the Register of Objects of Inland Water Transport Infrastructure shall be entitled to provide services to vessels on inland waterways.
4. Safe operation of small vessel stationing bases, including safety of navigation within their boundaries, shall be the responsibility of the owners of such bases. Another person may be designated by the owner as responsible to organize safe operation of the small vessel stationing base.
5. The central authority of executive power implementing of state policy in the area of civil defense shall be responsible for management of the search and rescue services activity on inland waterways.

#### **Article 60. Ensuring Safety of Navigation for Inland Navigation Vessels**

1. Captains and vessel holders shall be responsible for ensuring inland navigation vessel safety of navigation, who shall be liable in compliance with legislation of Ukraine.

By virtue of his/her office, the captain shall be recognized as the representative of the vessel holder and cargo owner in case of any actions pertaining to the needs of the vessel, cargo, or voyage must be taken, as well as in the event of any claims pertaining to the property under his/her care, unless there are other representatives of the vessel holder and cargo owner present on site.

2. The vessel captain shall be responsible for vessel management including navigation, taking any required measure to ensure safety of navigation and vessel security, prevention of environmental pollution, order maintenance onboard, prevention of any potential damage to the vessel, people and cargo onboard.
3. In compliance with the legislation, the holder of an inland navigation vessel shall ensure the following:
  - 1). staffing the vessel with sufficient number of qualified crew, which shall be verified by vessel documents and crew member qualification documents;
  - 2). proper and safe vessel condition, which shall be verified by vessel documents;
  - 3). safe vessel occupational life and safety conditions;
  - 4). healthcare of crew members aboard the vessel, appropriate relevant means and equipment on board the vessel;
  - 5). food and water supply in adequate quantity and of proper quality;
  - 6). proper vessel compartments.

The vessel holder shall ensure and control the captain's fulfillment of his/her functions on ensuring the vessel's safety of navigation, compliance with requirements of the legislation and international treaties of Ukraine.

4. Vessel holders of passenger vessels and self-propelled vessels with gross register tonnage exceeding 500 units which are not involved in international voyage shall develop (in optimal format), implement and maintain (within their company and on board of vessels) the safety of navigation management and pollution prevention system with its functional requirements approved by the central authority of executive power ensuring development of state policy in the area of inland water transport. Such vessel holders shall designate an authorized person responsible for safety of navigation to exercise control over vessel safety of navigation, adequate resource supply, and coastal support.
5. Parties involved in transportation of dangerous goods shall take every proper safety measure provided under the legislation and international treaties of Ukraine.

#### **Article 61. Maintaining Order on Board a Vessel**

1. Orders of the vessel captain given within the scope of his/her authority shall be binding for all persons on board the vessel. In the event of refusal to obey a legitimate order of the captain by any person on board, he/she shall take every necessary measures pertaining to such person.

2. The vessel captain shall be entitled to incentivize and impose disciplinary actions on the vessel crew members, including suspension of their duties in the event and according to the procedure established by the legislation.
3. If any action by a person on board put safety of the vessel, passengers or cargo at risk, the vessel captain shall be entitled to isolate such person in a separate compartment. For any unlawful detention or other type of power abuse regarding order maintenance aboard, the captain shall be liable in accordance with the legislation.

#### **Article 62. Taking Emergency Measures on Board a Vessel**

1. In the event of an emergency involving a vessel, and in the event of damage, destruction or loss of transported cargo or baggage, injuries caused to persons and in other instances that may result in claims or lawsuits against the vessel holder, the vessel captain shall take every necessary measure to ensure proper documental recording of such instances according to the procedure established by the legislation, as well as conduct preliminary investigation of the emergency event.
2. If this can be performed without substantial threat to the vessel and safety of the persons aboard, the vessel captain shall:
  - 1). provide aid to any person detected in water in distress;
  - 2). if relevant notification of distress was received, and if such actions can be reasonably expected of him/her, to move with maximum speed towards those in distress to provide aid. In the event of vessel collision, captains of each of the colliding vessels, upon the collision, shall provide aid to the other vessel, its passengers and crew, to the maximum possible extent that does not put at serious risk its own passengers, crew and vessel. In the event of the captain's failure to observe he/her obligations under this part, he/she shall be liable in accordance with the law. The vessel holder shall not be liable for captain's failure to fulfill the obligations on provision of aid.
3. In the event that any person on board requires emergency medical treatment which cannot be provided onboard, the captain shall approach the nearest location where this emergency medical treatment to this person may be provided.
4. In the event of military danger or threat of vessel seizure, the captain shall take every necessary and possible measure to rescue people on board the vessel and prevent seizure of the vessel, documents, cargo and other property located onboard.
5. In the event that the captain believes that the vessel is facing imminent disaster, he/she shall take every measure to save passengers and crew. Upon rescue of the passengers, the captain permits the vessel crew to abandon the vessel.

The captain shall be the last person to abandon the vessel after taking every possible measures to save vessel documents.

#### **Article 63. River Information Service**

1. The river information service (RIS) provides harmonized information services according to the provision on the river information service approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

The provision on the river information service establishes, in particular, the list of inland waterways covered by the harmonized information services, technical requirements for use of electronic navigational charts on vessels, electronic vessel reporting, including unified European system of vessel numbering, notifications to boatmasters, as well as course plotting and vessel navigation tracking.
2. The central authority of executive power that ensures development of state policy in the area of inland water transport shall fulfill the functions of the competent authority in the area of application of the river information service as well as cooperation with relevant competent authorities of foreign states.

The central authority of executive power that ensures development of state policy in the area of inland water transport shall make the decision on the types of equipment for

terminals and electronic networks, as well as software that may be used the river information service in the event that such equipment and software have not been approved for that purpose by the national competent authorities of European Union Member States.

3. The services of the river information service are provided to vessel captains (boatmasters), vessel holders, carriers, charter brokers, vessel agents, freight forwarders, operators of navigable hydraulic engineering constructions and movable-span bridges, the central authority of executive power implementing state policy in the area of inland water transport, operating departments of authorities of executive power, other entities of the relevant functional subsystem of the unified national system of civil defense.

The use of the services provided by the river information service shall be mandatory for all vessels, including foreign, within its designated coverage area.

The river information service shall provide its services to vessels and other users free of charge.

4. The river information service:

- 1) acquires, consolidates and transfers to vessels and other service users geographical, navigational, hydrographical, meteorological, hydrologic and other data relevant for navigation, provides information on exclusion of river ports (terminals) from the Register of Objects of Inland Water Transport Infrastructure, on competent authorities on the issues of application of the river information services of other countries, warns vessels about danger factors on inland waterways;
- 2) carries out monitoring of vessels, establishes communication with them, receives, registers and transfers necessary data;
- 3) participates in establishment of radio communication between vessels and other entities of inland water transport;
- 4) provides necessary information to state authorities;
- 5) according to established procedure, interacts with information services of other states within the scope of its competence;
- 6) ensures work of the information system for automated accounting of shipment on inland waterways;
- 7) performs other functions according to the legislation.

Services, data content and their exchange format, as well as data transmission frequencies provided by the river information service shall be harmonized in accordance with the legislation of the European Union.

5. Any inland navigation vessel performing international voyage on inland waterways shall notify so through radio communication means the competent authority in the area of engagement of the river information service of another state prior to its arrival at the border.
6. Information provided to vessels by the river information service shall be of advisory in nature exclusively. The vessel captain (boatmaster) shall take this information into account during navigation on inland waterways. Provision of services by the river information service shall not result in uncontrolled use of information received by this service and pertains to market relations between inland water transport entities. Data protection shall be exercised according to the law.

#### **Article 64. Emergency and Urgent Works on Inland Waterways**

1. The central authority of executive power implementing state policy in the area of and inland water transport shall ensure organization of fulfillment of any urgent measures for incident or emergency event mitigation, as well as measure for prevention of emergency events pertaining to navigation and functioning of with strategic objects of inland water transport infrastructure.
2. The costs incurred in compliance with part one of this article shall be reimbursed by the entities whose acts or omissions resulted in the emergency events.



## **Article 65. Inspections of Inland Navigation Vessels**

- 1.** Inspections of inland navigation vessels shall be carried out by an official of the central authority of executive power implementing of state policy in the area of inland water transport, in instances provided under this Law.

Vessel inspections shall be carried out in accordance with the rules for inland navigation vessel control, approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

- 2.** Inspections of inland navigation vessels shall be carried out in the following instances:
  - 1).** at the request of the vessel holder;
  - 2).** upon an emergency event involving the vessel;
  - 3).** in order to verify fulfillment of a prescription of an official of the central authority of executive power implementing state policy in the areas of inland water transport pertaining to remediation of any violation of safety of navigation requirements;
  - 4).** whenever the following indicators are detected:
    - discharge of pollutants or waste from the vessel;
    - vessel overloading over its load line or its loading with violation of rules for transportation of dangerous goods;
    - incompliance of the vessel hull, its mechanisms, and equipment with safety of navigation requirements;
    - failure to ensure all-round visibility from the vessel control post;
    - vessel measurement incompliance with the measurements of the navigable channel;
    - setting on a voyage without provision of relevant information to the river information service.
- 3.** Inspections of inland navigation vessels shall be carried out without vessel detention:
  - 1).** during vessel anchoring;
  - 2).** while vessel is waiting to pass the navigable locks;
  - 3).** at the vessel holder's request, while the vessel is undertaking a voyage.

The inland navigation vessel inspections shall be carried out in the presence of its captain (boatmaster).

The captain (boatmaster) may authorize another person from among the crew in order to provide the inland navigation vessel for inspection.

- 4.** According to the results of the inspection, the official of the central authority of executive power implementing state policy in the area of inland water transport shall draw up an inspection report, where he/she shall indicate the following:
  - 1).** the date of the document;
  - 2).** the name of the state oversight (control) authority, the position, the family name, and given name of the official conducting the inspection;
  - 3).** the name of the legal entity or the family name and given name of the physical individual who is the owner of the vessel;
  - 4).** the family name and given name of the captain (boatmaster) and the authorized person (if any);
  - 5).** information on the absence of safety of navigation requirements violations or on availability of violations (with reference to relevant legislative provision) that do not affect further operation or navigation of the vessel, but require their remediation within the period indicated in the report; or on availability of any violations of requirements of safety of navigation (with reference to relevant legislative provision) that affect further vessel operation or navigation and require remediation within the time identified in the report;
  - 6).** prescriptions issued to the vessel captain (boatmaster) related to the essence and terms of remediation of safety of navigation requirement violations, conditions and terms of vessel operation or navigation prohibition (in the event of availability of grounds for such prescriptions).

In the event that the vessel captain (boatmaster) or his/her authorized person should disagree with the inspection report, the inspection report shall be signed with comments that shall constitute its inviolable part.

In the event that the vessel captain (boatmaster) or his/her authorized person should refuse to sign the inspection act, the official of the central authority of executive power that implementing state policy in the area inland water transport shall make a relevant record in the report.

In the end of any inland navigation vessel inspection the official of the central authority of executive power implementing state policy in the area inland water transport shall give one original copy of the inspection report and the prescription (if any) to the vessel captain (boatmaster).

Any prescriptions issued by the official of the central authority of executive power implementing state policy in the area of inland water transport shall be binding.

5. The rules for inland navigation vessel control shall establish detailed procedure for vessel inspection, the rights and obligation of the official of the central authority of executive power implementing state policy in the area inland water transport, the standard form of the vessel inspection report, the prescriptions on the essence and the time for remediation of any violation of safety of navigation requirements, the procedure for appeal as to any actions of the person performing the inspection.
6. The vessel captain (boatmaster) or his/her authorized representative shall ensure the following for the person of the central authority of executive power that implementing state policy in the area of inland water transport conducting the vessel inspection:
  - 1). access to the vessel, to the vessel premises;
  - 2). familiarization with the vessel documents, other vessel documentation;
  - 3). opportunity of free communication with any crew members;
  - 4). opportunity to check vessel operational procedures;
  - 5). opportunity to be present at the time of conducting the training drills conducted at the request of such official.

In the event of absence of the captain (boatmaster) or his/her authorized representative on board the inland navigation vessel during inspection, the officer from the central authority of executive power implementing state policy in the area inland water transport shall be entitled to conduct such inspection in the presence of an authorized employee of the authorities or departments of the National Police of Ukraine.

7. Vessel inspection by any official of the central authority of executive power implementing state policy in the area inland water transport shall be performed free of charge.
8. This article shall not apply to small vessels, sport crafts, pleasure crafts, and water motorcycles.

#### **Article 66. Vessel Setting out on a Voyage on Inland Waterways**

1. Any vessel (vessel convoy) may set out on a voyage on inland waterways under the condition of availability of valid vessel documents and crew member qualification documents.
2. Prior to setting out on a voyage, each vessel on inland waterways shall provide information about this fact to the river information service. Prior to setting out on a voyage, the vessel captain personally or via his/her vessel agent shall provide the following information:
  - 1) name of the vessel, its flag, place of vessel registration;
  - 2) the vessel unique European Identification Number and/or (if available) its International Maritime Organization Number (IMO number);
  - 3) name of the vessel holder and the vessel agent (if applicable);
  - 4) voyage type (cabotage, international);
  - 5) name of the port (terminal) or place of departure, expected time of departure;
  - 6) name of the port (terminal) or place of destination (if applicable);

- 7) validity term of the inland navigation vessel certificate or the inland navigation vessel temporary certificate (vessel certificate or certificate of registry – for vessels constructed or refitted prior to enactment of this Law);
- 8) validity term of the passenger vessel safety certificate or the cargo vessel safety certificate (for maritime vessels and mixed-navigation vessels);
- 9) a copy of the vessel roll;
- 10) the list of the qualification documents of the crew (names and validity terms).

Any vessel carrying passengers and/or cargo during its voyage, it shall also provide to the river information service the following data for its further recording in the information system for automated accounting of shipment on inland waterways, which shall comply with the shipping document:

- name of cargo, its type, measurements, amount and weight, type of packaging (if applicable), indication of danger type (if carrying dangerous goods), as well as identification marking (if applicable);
- number of containers and their type (if applicable);
- number of passengers (if applicable).
- Setting out on a voyage without provision of information provided under this article shall be prohibited.
- The procedure for submission of the information in accordance with this article shall be established by the rules of inland navigation vessel control.
- The vessel captain and vessel holder shall be liable for provision of any inaccurate information.

3. The authorized official of the central authority of executive power implementing state policy in the area of inland water transport shall prohibit any further vessel navigation in the event that any of the following facts is detected in the information provided according to part two of this article:
  - 1). violation of requirements to safety of navigation on the vessel which obstructs further vessel operation or navigation;
  - 2). absence of the vessel documents;
  - 3). absence of any required crew member(s) qualification documents.
4. The authorized official of the central authority of executive power implementing state policy in the area of inland water transport shall prohibit further navigation of the vessel also in the event of failure to provide information under part two of this article prior to setting out on a voyage.
5. In instances prescribed by parts three and four of this article, the authorized official of the central authority of executive power implementing state policy in the area of inland water transport, together with the vessel captain (boatmaster), designates a safe stationing location for the vessel (for the vessels having set out on a voyage).
6. The vessel navigation of which was prohibited by the authorized official of the central authority of executive power implementing state policy in the area of inland water transport shall be permitted to continue its further voyage after the vessel inspection and fulfillment of all prescriptions provided to the captain (vessel holder) in compliance with article 65 of this Law.
7. In the event that a sea port water area is designated as the vessel safe stationing location according to part five of this article, the authorized official of the central authority of executive power implementing state policy in the area of inland water transport shall provide information on prohibition to navigate for such vessel to the sea port harbor master who, upon the vessel inspection in compliance with the rules of inland navigation vessel control and the Merchant Marine Code of Ukraine, shall make a decision regarding its further operation or navigation, including the decision on exiting the sea port.

**Article 67. Investigation of Emergency Events Related to Navigation on Inland Waterways**

1. Emergency events related to navigation on inland waterways shall be subject to investigation.

2. Investigation of emergency events and their classification shall be carried out according to the provision on classification, investigation procedure and registration of emergency events and incidents related to navigation approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.
3. Technical investigation of any emergency events shall be the responsibility of the state specialized expert institution of technical investigation of transport incidents coordinated by the Cabinet of Ministers of Ukraine.
4. Technical investigation of any emergency events shall be carried out for the purpose of establishment of their reasons, improvement of safety of navigation, and taking of preventive measures for prevention of such events in the future.
5. Any pre-trial investigation targeted at establishment of guilt or liability shall be conducted separately from the technical investigation of the emergency event.
6. The state specialized expert institution of technical investigation of transport incidents shall decide on conducting investigations of emergency events with regard to severity of their consequences, peculiarities and the level of their impact, as well as in the event of any request from the central authority of executive power implementing state policy in the area of inland water transport.
7. The procedure for the technical investigation of emergency events and the procedure for compilation of the report on the results of the technical investigation of emergency events shall be established by the central authority of executive power ensuring development of state policy in the area of inland water transport.
8. The state specialized expert institution for technical investigation of transport incidents in its organizational and legal structure and its decision making procedure shall be independent of the central authority of executive power implementing state policy in the area of inland water transport as well as of any party whose interests may conflict with objectives of the expert institution.
9. Funding of the state specialized expert institution of technical investigation of transport incidents shall be carried out at the expense of the funds of the state budget and other sources provided by the legislation.
10. In the course of its investigations of emergency events the state specialized expert institution of technical investigation of transport incidents shall be entitled:
  - 1). to have access to the emergency event site, as well as to the vessels and structures connected with the emergency event;
  - 2). to record statements and to carry out controlled extraction of debris for the purpose of their study or analysis;
  - 3). to have access to the forensic inspection results of the bodies of the victims;
  - 4). to have access to the results of inspection of the deck crew members and other crew members connected with the emergency event;
  - 5). to question participants of the emergency event and other witnesses;
  - 6). to have access to any information or records available at the central authority of executive power implementing of state policy in the area of inland water transport, carriers and ports (terminals) connected with the emergency event.

**Article 68. Vessel Arrest**

1. Unless otherwise provided under the agreement, a vessel may be arrested or released from arrest by the decision of a court or decision of arbitration.
2. In the event that the court or the Chair of the Maritime Arbitration Commission at the Chamber of Trade and Industry of Ukraine rules to secure a claim by arresting a vessel (should such decision be binding), or in the event that a vessel has been subject to forced sale in the course of enforcement procedures, the authority that made that adopted the relevant decision shall notify so the authority that carries out state registration of vessels in order for the information to be entered as a proper record in the State Shipping Register of Ukraine or the Vessel Book of Ukraine.

3. The vessel holder shall be notified about vessel arrest or release by the authority conducting state registration of vessels.
4. To ensure that all requirements arising from ownership right and other proprietary rights related to the vessel, vessel construction, management, operation or commercial use of the vessel, vessel mortgage or vessel rescue measures are met, the vessel may be subject to arrest according to the law.
5. The arrested vessel may be released on bail or other type of adequate security according to the law.

## **Chapter X**

### **SUNKEN PROPERTY ON INLAND WATERWAYS**

#### **Article 69. Definition of Sunken Property on Inland Waterways and its Scope of Application**

1. Any property that sank on inland waterways (hereinafter - "sunken property"), for the purposes of this chapter, shall mean the wrecked vessels or other floating crafts, floating constructions, aerial devices, their fragments, equipment, cargo, and other items regardless of whether they are afloat or under the water surface or have gone to the bottom or washed to shallow waters or ashore.
2. The rules of this chapter apply to activities related to recovery, extraction and destruction of sunken property.
3. The rules of this chapter shall not apply to the following:
  - 1) recovery, extraction and destruction of military property;
  - 2) recovery of property defined as cultural valuables, archeological or historical artefacts.

#### **Article 70. Recovery of Sunken Property by Its Owner**

1. The owner of the sunken property shall immediately notify the central authority of executive power implementing state policy in the area of inland water transport about his/her property sunken on inland waterways.
2. The central authority of executive power implementing state policy in the area of inland water transport shall establish sufficient, depending on the circumstances, time for recovery of the sunken property, the procedure to conduct the works, and communicated the relevant information to the owner of the property.
3. In the event that the sunken property does not obstruct navigation, engineering works, does not pose any threat to life and health of people or the environment, recovery of such property shall be carried no later than one year after the date of its sinking or its detection.

#### **Article 71. Procedure of Recovery of Dangerous Sunken Property**

1. In the event that the sunken property obstructs navigation, engineering works, leads to any potential damage to life and health of people and to environmental pollution, the owner of the property shall extract or destroy this property within the time established by the central authority of executive power implementing state policy in the area of inland water transport.
2. The central authority of executive power implementing state policy in the area of inland water transport shall provide information indicated in part one of this article to the central authority of executive power implementing state policy in the area of state environmental oversight (control).
3. In the event that the sunken property constitutes a direct threat to the safety of navigation, life and health of people, environmental safety, however, its owner fails to recover it within the time established by part one of this article, the central authority of executive power implementing state policy in the area of inland transport shall be entitled to organize the necessary measures for its immediate recovery and, if necessary, for its destruction or extraction otherwise, with further compensation of the costs at the expense of the owner of the sunken property.

4. In the event that the owner of the sunken property is unknown, the central authority of executive power implementing state policy in the area of inland water transport shall organize publication of information on the time established for recovery of such property. If the state of the sunken vessel flag is known, the central authority of executive power implementing state policy in the area of inland water transport shall duly notify the Ministry of Foreign Affairs of Ukraine in order to raise through diplomatic representative offices the issue pertaining to the salvage of such property.

**Article 72. Forfeiture of Rights to the Sunken Property**

1. The owner of any sunken property shall forfeit the right thereto in the event that he/she makes no statement or fails to recover the property within the time provided under articles 70 and 71 of this Law. In such event the said property shall become state property.

**Article 73. Reclamation of Recovered Property**

1. Any sunken dangerous property recovered in compliance with article 71 of this Law because it poses a direct threat to safety of navigation, life and health of people, environmental safety may be reclaimed by its owner within two years from the date of actual recovery of the property. Inasmuch the owner of the property shall compensate the cost of the recovery and other costs and damages incurred, according to the procedure established by the Cabinet of Ministers of Ukraine.
2. If recovered property has been disposed of due to failure or inexpediency of its storage, the money received after the property disposition excluding all costs of recovery, storage and disposal shall be returned to the property owner. In the event that the money received after disposition of the recovered property does not cover all expenses and damages incurred, the property owner shall reimburse it.
3. Forfeiture of the sunken or recovered property shall not relieve the property owner from his/her obligation to reimburse the expenses and damages incurred in the instances provided under article 71 of this Law.

**Chapter XI**

**LIABILITY OF VESSEL HOLDERS FOR VIOLATION OF THE LEGISLATION ON INLAND WATER TRANSPORT AND CONFLICT RESOLUTION**

**Article 74. Liability for Violation of the Legislation on Inland Water Transport**

1. For any violation of legislation on inland waterway transport, the vessel holders shall be liable to the extent of administrative and commercial fines at the following rates:
  - 1). for overloading of an inland navigation vessel exceeding the load line – three thousand the tax exempt minimum income of citizens;
  - 2). for setting out on a voyage by inland navigation vessel without valid vessel documents, or the condition of the hull or vessel mechanisms and equipment of which are not in compliance with established navigation safety requirements – three thousand the tax exempt minimum income of citizens;
  - 3). for setting out on a voyage by inland navigation vessel not registered according to the established procedure, or with deactivated or defective equipment for automatic vessel identification, or with false data entered into such equipment – five thousand the tax exempt minimum income of citizens;
  - 4). for setting out on a voyage by inland navigation vessel without provision of information or provision of inaccurate information that is required under part two of article 66 of this Law – three thousand the tax exempt minimum income of citizens;
  - 5). for transportation of cargo by the vessel without issuing the transport document if such issuing is prescribed under the law or an international treaty of Ukraine – one thousand the tax exempt minimum income of citizens;

- 6). for the vessel servicing and/or fulfillment of vessel cargo operations at places not recorded in the Register of objects of inland water transport infrastructure - three thousand the tax exempt minimum income of citizens.
2. For any violation of legislation on inland water transport for performance of activity without registration in the Register of Strategic Objects of Inland Water Transport Infrastructure the owners of river ports (terminals) shall be liable to the extent of administrative and commercial penalties - at the amount of three thousand the tax exempt minimum income of citizens.
3. Violations of legislation on inland water transport pertaining to works fulfillment, which lead to expansion of the navigable channel dimensions beyond as provided under the agreement (contract) for the fulfillment of works on ensuring navigable channel dimensions (navigable channel maintenance), the economic entities having fulfilled the respective works shall be charged with the fine at the rate of 10 thousand times the tax exempt minimum income of citizens.
4. In the event that one entity commits two or more violations, the administrative and commercial penalties shall be applied for each violation individually.
5. The cases on violations provided under this Law shall be considered by the head of the central authority of executive power implementing state policy in the area of inland water transport, his/her deputies, heads of territorial offices and their deputies.
6. The head, its deputies, heads of territorial authorities and their deputies shall be entitled to impose administrative and commercial penalties established by this Law on behalf of the central authority of executive power implementing state policy in the area of inland water transport.
7. The report on violation of any requirements of the legislation on inland water transport by any economic entity (hereinafter - the report) shall be compiled by the official of the central authority of executive power implementing state policy in the area inland water transport who performed the measure that resulted in discovery of such violation.
8. The report shall state the following:
  - a. Date and place of the report;
  - b. Position, family name, and given name of the person compiling the report;
  - c. Information on the person pertaining to whom the report is compiled (name and seat of the legal entity or family name, give name, and residence address of the physical individual entrepreneur, address of the respective activity location, facilities, contact data);
  - d. Location, time of occurrence and essence of the violation committed;
  - e. Reference to provisions of the normative legal act (with indication of respective article, part, point, paragraph) that was violated by the person pertaining to whom the report is compiled;
  - f. Reference to the act and other evidence that prove committing of the violation of legislation on inland water transport by the person pertaining to whom the report is compiled;
  - g. Family name, given name, and residence address, contact data of the witnesses and their explanations (if available);
  - h. Explanations by the person pertaining to whom the report is compiled, or record on the refusal to provide any explanations (if available);
  - i. Other information facilitating comprehensive and objective consideration and resolution of the case (if available).
9. Any materials recorded by the technical devices and means, including those with the photo and/or video filming functions, audio and/or video recording, shall be included in the report on paper media or in electronic format on discs for laser playback systems, with indication of the report number. A record is made in the report about inclusion of such materials.
10. The report shall be compiled in two original copies and signed by the person compiling it. One original copy of the report together with notification on the time and place of hearing

of the case shall be sent to the person pertaining to whom the report is compiled, on later than 15 days upon its compilation, by registered mail with a notice of delivery; and the other original copy shall be stored at the central authority of executive power implementing state policy in the area of inland water transport. The report shall be sent to the respective address indicated in the Unified State Register of Legal Entities, Physical Individuals Entrepreneurs, and Public Formations, and it shall be deemed delivered upon the receipt of the postal notice of delivery or of refusal to accept, or upon the return of the postal notification with the notice of non-delivery.

- 11.** The case shall be considered no later than 30 business days upon the compilation of the report by the respective official. At the written request of the person pertaining to whom the protocol is compiled, the case hearing may be postponed for the person's provision of additional materials or for other valid reason, but for no longer than 10 business days.
- 12.** The case may be considered at the absence of the person pertaining to whom the report was compiled in the event of availability of information of due notification of the person about the time and place of hearing of the case and if there is no request from the person on postponing of the consideration of the case.
- 13.** The person pertaining to whom the report was compiled shall be entitled to familiarize oneself with the materials of the case file, provide explanations, submit evidence, present petitions, use legal assistance, appeal the resolution in court.
- 14.** The case hearing may not begin, and any started cases shall be subject to closing in the event of the following:
  - a. Absence of an event or composition of the violation of Legislation on inland water transport;
  - b. Invalidity of a provision of the law establishing liability for violation of the legislation on inland water transport;
  - c. Expiration of the term specified by law, during which administrative and economic fines may be imposed;
  - d. Availability of a decision on application of administrative and commercial sanctions for the same fact of inland water legislation violation or non-canceled resolution on the closing of the case pertaining to the same person;
  - e. state registration of termination as a result of liquidation of a legal entity pertaining to which the report was compiled;
  - f. death of the physical individual entrepreneur pertaining to whom the report was compiled.
- 15.** Depending on the results of the case hearing, the official of the central authority of executive power implementing state policy in the area of inland water transport shall make one of the following resolutions:
  - a. to apply the administrative and commercial penalties;
  - b. to close the case.
- 16.** The resolution on the application of the administrative and commercial penalties shall contain the following:
  - a. family name and given name of the official making the decision;
  - b. date and place of hearing of the case;
  - c. information about the person pertaining to whom the decision is made;
  - d. description of circumstances established in the course of hearing of the case, and the evidence that supports them;
  - e. references to the provisions of legislation that were violated and/or indication of the grounds for closing of the case;
  - f. references to provisions of the law that provide for liability for the violation;
  - g. the decision made as to the case.
- 17.** The resolution shall come in to legal power upon its handing over the person or upon the receipt of the notice of delivery or of refusal to accept, or upon the return of the postal notification with the notice of non-delivery.



18. The fine shall be subject to payment within 15 days once the resolution on application of administrative and commercial penalty comes into power. The amount of the fine shall be attributed to the state budget.
19. The resolution of application of the administrative and commercial penalty shall constitute an executive document under the Law of Ukraine *On Executive Proceedings*. Enforcement of the resolution on application of the administrative and commercial penalty shall be carried out according to the procedure established by the Law of Ukraine *On Executive Proceedings*, in the event that the fine should not been paid within 15 days after the resolution comes into its legal power. In the course of the enforcement of the resolution on the application of the administrative and commercial penalty, the violator shall also be charged with expenses for the recording to the said violation. The rate of the expenses for the recording of the violation shall be determined by the Cabinet of Ministers of Ukraine.
20. The case resolution may be appealed to the court according to the procedure established by the legislation of Ukraine.
21. The procedure for charging of the penalties for violations set out in this article, the procedure of appeal of the resolution on a violation of inland water transport legislation, and the standard form of the report shall be established by the Cabinet of Ministers of Ukraine.

#### **Article 75. Conflict Resolution**

1. Any conflicts arising in connection with the inland water transport activity, in particular on transportation of cargo, towing of vessels and other floating crafts, vessel pilotage, purchase and sale, chartering, mortgage and repair of vessels and floating crafts, vessel bunkering, agent and other servicing of vessel, vessel insurance and reinsurance, use of vessels and other floating crafts for mineral resource extraction, hydraulic engineering and other works, vessel rescue, recovery of sunken vessels and other property, as well as any conflicts pertaining to vessel collision, vessel causing damage to port, berthing, navigable hydraulic engineering constructions, bridges, navigational, and other objects - shall be settled by court or, at the parties' consent, by the Maritime Arbitration Commission at the Chamber of Trade and Industry of Ukraine.
2. The conflicts provided under part one of this article involving foreign legal entities and physical individuals may, at the consent of the parties, be transferred to the Maritime Arbitration Commission at the Chamber of Trade and Industry of Ukraine or to another international arbitration.

### **Chapter XII FINAL AND TRANSITIONAL PROVISIONS**

1. This Law shall come into power on 1 January 2022, with the exception of paragraph three of part five of article 26, article 55, part three of article 59, point 6 of part one and part two of article 74, which shall come into power three years after the publication of this Law.
2. The Ukrainian inland navigation vessel crew member qualification verifying documents that authorize navigation of inland navigation vessels, use of vessel radar, use of the radio telephone, electronic chart and navigational information systems issued prior to enactment of this Law shall be subject to mandatory exchange before 31 December 2031, inclusively. As from 1 January 2032, the documents indicated in this paragraph issued prior to enactment of this Law shall lose their validity.

For the Ukrainian inland navigation vessel crew members who were not required to obtain documents that verify their qualification prior to the enactment of this Law, the provisions of part one of article 30 of this Law shall be mandatory beginning with 1 January 2032.

3. On Ukrainian inland navigation vessels registered in the State Vessel Register of Ukraine prior to enactment of this Law, up until 31 December 2035 the absence of

the inland navigation vessel certificate shall be permitted under the condition of availability of a valid classification certificate.

It shall be established that all vessel documents issued prior to enactment of this Law shall remain valid for the duration of their validity period.

Copies of documents that shall be submitted at the time of submission of the application to obtain the administrative services indicated in articles 30, 31, 36, 48 of this Law shall be required up to the time of the beginning of the functioning of the electronic registers and databases kept by the central authority of executive power implementing state policy in the area of inland water transport.

4. The following legislative acts of Ukraine shall be amended:

1) in the Code of Ukraine on Administrative Offences (Journal of Verkhovna Rada of USSR, 1984, annex to issue No. 51, p. 1122):

a) Article 61 shall read as follows:

- “Article 61. Damage to hydraulic engineering facilities and devices, violation of established operation modes of artificial water objects and water resources systems
- Damage to hydraulic engineering facilities and devices – results in imposition of a fine on citizens from fifty to one hundred the tax exempted minimum incomes of citizens; and on administrative officials from one hundred to two hundred the tax exempted minimum incomes of citizens.
- Violation of established operation modes at artificial water objects and water resources systems –
- results in imposition of a fine on citizens from fifty to one hundred the tax exempted minimum incomes of citizens; and on administrative officials from one hundred to two hundred the tax exempted minimum incomes of citizens”;

b) Articles 114-118 shall read as follows:

- **“Article 114.** Violation of rules on order maintenance and safety of navigation on maritime and inland water transport
- Failure to execute lawful orders of vessel captain or boatmaster by persons aboard of maritime or inland navigation vessel – shall result in imposition of a warning or a penalty at the rate of twenty-five the tax exempted minimum incomes of citizens.
- Repeated within a year violation provided under part one of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of twenty the tax exempted minimum incomes of citizens.
- Creation obstruction for the captain, any other crew member in his/her navigation of the maritime or inland navigation vessel, ensuring safety of navigation, vessel security or protection of life and health of human life, by any person – shall result in imposition of a penalty at the rate of one hundred the tax exempted minimum incomes of citizens.
- Navigation by captain (boatmaster) of a maritime or inland navigation vessel, which has not been properly registered, with deactivated or defective equipment for automatic vessel identification or inaccurate information input in this equipment – shall result in imposition of a penalty at the rate of five hundred the tax exempted minimum incomes of citizens.
- Repeated within a year violation provided under part four of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of one thousand the tax exempted minimum incomes of citizens.
- Navigation by captain (boatmaster) of a maritime or inland navigation vessel, which is not properly staffed or with crew members not carrying proper qualification documents, or with violation of cargo loading requirements and passenger capacity parameters, violation of

mandatory requirements on vessel security, violation of restrictions on navigation regions and conditions, violation of occupational safety requirements, violation of requirements on crew members medical support, food and water supply, vessel equipping including availability of all necessary vessel compartments, or navigation of vessels which are under prohibition to navigate or to be operated, not permitted to enter the maritime waterways, or that do not carry its vessel documents –

shall result in imposition of a penalty at the rate of three hundred the tax exempted minimum incomes of citizens.

- Repeated within a year violation provided under part six of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of one thousand the tax exempted minimum incomes of citizens.
- Violation of rules on maritime and inland waterway navigation, procedure of vessel entry to port, port anchoring and departure, rules of port facility protection, vessel traffic, maneuvering and anchoring, vessel convoy towing, light and audio signals setting, vessel lights and signs placement, rules ensuring safety of the vessel, crew and passengers during boarding, anchoring, navigation and landing – shall result in imposition of a penalty at the rate of one hundred fifty the tax exempted minimum incomes of citizens (for citizens) and three hundred the tax exempted minimum incomes of citizens (for officials).
- Repeated within a year violation provided under part eight of this article imposed on a person who was once already subject to the administrative penalty – results in imposition of a penalty at the rate of two hundred to three hundred the tax exempted minimum incomes of citizens (for citizens) and one thousand five hundred the tax exempted minimum incomes of citizens (for officials).
- Navigation of maritime or inland navigation vessel by any person who is not authorized to navigate such vessel or delegation of vessel navigation to a person not authorized to navigate – shall result in imposition of a penalty at the rate of one hundred fifty the tax exempted minimum incomes of citizens.
- Repeated within a year violation provided under part ten of this – shall result in imposition of a penalty at the rate of three hundred the tax exempted minimum incomes of citizens.
- **Article 115.** Violation of rules of operation of maritime and inland navigation vessels
- Damage inflicted to vessel equipment – shall result in imposition of a penalty at the rate of one hundred the tax exempted minimum incomes of citizens.
- Repeated within a year violation provided under part one of this article – shall result in imposition of a penalty at the rate of two hundred the tax exempted minimum incomes of citizens.
- Violation of rules of vessel use, with the exception of violation of the rules provided under part one of this article – results in imposition of a penalty at the rate of up to thirty the tax exempted minimum incomes of citizens.
- Repeated within a year violation provided under part three of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of one hundred the tax exempted minimum incomes of citizens.
- **Article 116.** Violation of rules on order maintenance and safety of navigation of small vessels, sport crafts, and water motorcycles
- Navigation of small vessels subject to mandatory registration and water motorcycles which are not properly registered, or with no name (identification number) inscribed on the board

of the vessel, absence of required rescue or signaling devices, or valid vessel documents on board, violation of rules on loading and passenger capacity, navigation region and conditions restrictions –

shall result in imposition of a penalty at the rate of fifty the tax exempted minimum incomes of citizens.

- Repeated within a year violation provided under part one of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of one hundred the tax exempted minimum incomes of citizens.
- Exceeding of speed limit by boatmasters of small vessels, sport crafts or water motorcycles, failure to observe requirements of navigational sign, intentional stop or vessel stationing in restricted areas, violation of maneuvering rules, auditory signals setting, board lights and sign placement, navigation within sections of water objects restricted for such purposes, violation of other rules of navigation – shall result in imposition of a penalty at the rate of one hundred the tax exempted minimum incomes of citizens.
- Repeated within a year violation provided under part three of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of two hundred the tax exempted minimum incomes of citizens.
- Navigation of small vessels, sport crafts or water motorcycles by any person who is not authorized to navigate this type of vessel or delegation of vessel navigation to an unauthorized person – shall result in imposition of a penalty at the rate of one hundred the tax exempted minimum incomes of citizens.
- Repeated within a year violation provided under part five of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of two hundred the tax exempted minimum incomes of citizens.
- **Article 116<sup>1</sup>**. Violation of rules on setting the vessel out on a voyage or permitting to navigation for any person with no required document
- Setting (sending) out on a voyage of a maritime or inland navigation vessel which is not registered properly, with deactivated or defective equipment for automatic vessel identification, or with inaccurate information entered in this equipment, insufficiently staffed, or with crew members who do not have required qualification, or violation of rules on loading and passenger capacity, violation of mandatory vessel securing requirements, any restrictions on the navigation region or condition restrictions, failure to ensure occupational safety and medical support for crew members, failure to ensure food and water supply, proper equipment, resources and vessel compartments, or use of the vessel which is under prohibition in terms of navigation or operation, not permitted to depart from the sea port, or one that failed to provide information on the vessel, its cargo and passengers prior to setting out on a voyage on inland waterways, or not carrying required vessel documents onboard or documents for safe vessel navigation management system – shall result in imposition of a penalty at the rate of one thousand the tax exempted minimum incomes of citizens (for officials).
- Repeated within a year violation provided under part one of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of two thousand the tax exempted minimum incomes of citizens (for officials).
- Permitting to set out on a voyage of small vessels subject to mandatory registration or water motorcycles which have not been properly registered or failed to complete technical inspection according to the established procedure, permission to navigate small vessels,

sport crafts or water motorcycles by persons not properly authorized to navigate such vessels

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shall result in imposition of a penalty at the rate of sixty the tax exempted minimum incomes of citizens (for citizens) and one hundred fifty the tax exempted minimum incomes of citizens (for officials).

- Repeated within a year violation provided under part three of this article imposed on a person who was once already subject to the administrative penalty –
- shall result in imposition of a penalty at the rate of one hundred fifty the tax exempted minimum incomes of citizens (for citizens) and three hundred the tax exempted minimum incomes of citizens (for officials).
- **Article 116<sup>2</sup>**. Violation of rules for navigation on maritime and inland waterways, in sea port water area
- Performance of any unauthorized diving operations within sea port water areas, maritime or inland waterways, as well as incompliance with rules on relevant signal setting during such operations –  
results in imposition of a penalty at the rate of fifty the tax exempted minimum incomes of citizens (for citizens) and two hundred the tax exempted minimum incomes of citizens (for officials).
- Damage inflicted to hydraulic engineering constructions, navigational and communication equipment –  
shall result in imposition of a penalty at the rate of two hundred the tax exempted minimum incomes of citizens (for citizens) and three hundred the tax exempted minimum incomes of citizens (for officials).
- Destruction, damage, dismantling, unauthorized rearrangement of floating and shore navigational equipment, communication means, alarm systems, information systems, violation of rules of maintenance, operation and operational mode of navigational equipment on bridges and hydraulic engineering constructions, unauthorized (without permission) installation of floating constructions (parking vessels) on the navigable channel, unauthorized (without permission) installation of signs, structures, light and audio signal sources within the shoreline that create obstacles for navigational signal and sign identification –  
shall result in imposition of a penalty at the rate of two hundred the tax exempted minimum incomes of citizens (for citizens) and three hundred the tax exempted minimum incomes of citizens (for officials).
- Discharge of garbage and other items overboard by maritime or inland navigation vessels, small vessels, sport crafts or water motorcycles –  
shall result in imposition of a penalty at the rate of twenty-five the tax exempted minimum incomes of citizens.
- Failure to provide or provision of inaccurate information on setting out on a voyage to the river information service, failure to provide notification of departure to the authorized official of the central authority of executive power implementing state policy in the area of inland water transport, failure to provide or provision of inaccurate information regarding the vessel, vessel crew, vessel documents or cargo to the authorized official of the central authority of executive power implementing state policy in the area of inland water transport –  
results in imposition of a penalty at the rate of five hundred the tax exempted minimum incomes of citizens (for officials).
- Repeated within a year violation provided under part five of this article imposed on a person who was once already subject to the administrative penalty –  
shall result in imposition of a penalty at the rate of two thousand the tax exempted minimum incomes of citizens (for officials).
- **Article 116<sup>3</sup>**. Violation of Rules for Vessel Registration

- Failure to notify or notification delay of vessel registration agency regarding any changes in the data subject to entry into the Vessel Book of Ukraine according to the established procedure within two weeks from the date of the change occurrence – shall result in a warning for citizens and imposition of a penalty at the rate of one hundred the tax exempted minimum incomes of citizens (for officials).
  - Repeated within a year violation provided under part one of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of fifty the tax exempted minimum incomes of citizens (for citizens) and two hundred the tax exempted minimum incomes of citizens (for officials).
  - Evasion of mandatory vessel registration in the Vessel Book of Ukraine – shall result in imposition of a penalty at the rate of sixty the tax exempted minimum incomes of citizens (for citizens) and two hundred fifty the tax exempted minimum incomes of citizens (for officials).
  - Failure to notify or notification delay of the vessel registration agency regarding any changes in the data subject to entry into the State Shipping Register of Ukraine according to the established procedure within two weeks from the date of the change occurrence – shall result in a warning for citizens and imposition of a penalty at the rate of one hundred the tax exempted minimum incomes of citizens (for officials).
  - Repeated within a year violation provided under part four of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of two hundred the tax exempted minimum incomes of citizens (for citizens) and three hundred the tax exempted minimum incomes of citizens (for officials).
  - Evasion from obligatory vessel registration in the State Shipping Register of Ukraine – shall result in imposition of a penalty at the rate of two hundred the tax exempted minimum incomes of citizens (for citizens) and one thousand the tax exempted minimum incomes of citizens (for officials).
  - **Article 117.** Violation of Rules of Operation of Small Vessels, Sport Crafts and Water Motorcycles
  - Violation of rules of operation of small vessels, sport crafts, and water motorcycles - shall result in imposition of a warning or a penalty at the rate of twenty-five the tax exempted minimum incomes of citizens.
  - Repeated within a year violation provided under part one of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of fifty the tax exempted minimum incomes of citizens.
  - **Article 118.** Violation of Rules of Safe Operation of Bases for Small Vessels Stationing
  - Violation of rules of safe operation of bases for small vessels stationing by officials – shall result in imposition of a penalty at the rate of two hundred the tax exempted minimum incomes of citizens.
  - Repeated within a year violation provided under part one of this article imposed on a person who was once already subject to the administrative penalty – shall result in imposition of a penalty at the rate of seven hundred the tax exempted minimum incomes of citizens.
- c) supplement with article 118<sup>1</sup> that shall read as follows:
- **“Article 118<sup>1</sup>.** Failure to Permit Persons Authorized to Carry out Inspection to Inspect an Inland Navigation Vessel
  - Failure to permit persons authorized to carry out inspection to inspect an inland navigation vessel -

shall result in imposition of a penalty on the captain, and in the event of his/her absence – on the boatmaster, at the rate of one thousand five hundred the tax exempt minimum incomes of citizens.

**d)** paragraph two of part one of article 120 shall read as follows:

- “shall result in imposition of a penalty at the rate of fifty the tax exempted minimum incomes of citizens (for citizens) and six hundred the tax exempted minimum incomes of citizens (for officials)”;

**e)** part three of article 129 shall read as follows:

- “Permitting to navigate any maritime, river, small vessels, sport crafts, or water motorcycles by persons in the condition of alcoholic, narcotic or other intoxication or influenced by medications reducing vigilance and reaction rate – shall result in imposition of a penalty at the rate of one thousand the tax exempted minimum incomes of citizens (for officials responsible for vessel operation)”;

**f)** paragraph two of part two of article 133 shall read as follows:

- “shall result in imposition of a penalty at the rate of fifty the tax exempted minimum incomes of citizens (for citizens) with or without paid expropriation or confiscation of the indicated substances or items and imposition of a penalty at the rate of three hundred the tax exempted minimum incomes of citizens (for officials)”;

**g)** paragraph ten of article 135 shall read as follows:

- “on maritime transport and inland waterways transport vessels”;

**h)** in article 136:

- in paragraph one of part one, the words «floating equipment» shall be replaced with «vessels»; the word «locks» shall be replaced with «navigable hydraulic engineering constructions»;
- in paragraph one of part two the word «floating» shall be replaced with «vessels»;
- **article 188<sup>15</sup>** shall read as follows:
- “Article 188<sup>15</sup>. Failure to Comply with Lawful Requirements of Officials of Maritime and Inland Water Transport Authorities
- Failure to comply with lawful requirements of officials of maritime and inland water transport authorities regarding remediation of violations of legislation regulating maritime and inland water transport safety and state registration of vessels, provision of inaccurate data, creating obstacles to impede performance of their functions – shall result in imposition of a penalty at the rate of sixty the tax exempted minimum incomes of citizens (for citizens) and one thousand the tax exempted minimum incomes of citizens (for officials).
- Repeated within a year violation provided under part one of this article – shall result in imposition of a penalty at the rate of one hundred twenty the tax exempted minimum incomes of citizens (for citizens) and one thousand five hundred the tax exempted minimum incomes of citizens (for officials).

**j)** in part one of article 221, the words and numbers “part three of article 133” shall be replaced with words and numbers “parts two and three of article 133”;

**k)** part one of article 222 shall read as follows:

- “The authorities of the National Police shall hear cases on the following administrative offences: violation of public order, the traffic rules, the rules for vehicle parking, the rules that ensure transport traffic safety, the rules for the use of transport means, the rules voyage authorization for small vessels, sport crafts, and water motorcycles, the rules of navigation on maritime and inland waterways, the rules targeted for cargo safekeeping on transport, as well as pertaining to illegal sale and illegal purchase of gasoline or other fuels and lubricant materials (articles 80 and 81 (in the part of exceeding of the normatively prescribed content of pollutants in the exhaust gasses of vehicles), part one of article 44, article 89, part two of article 106<sup>1</sup>, part one, two, three, four, and six of article 109, article 110, part four of article 116<sup>2</sup>, article 117, part one and two of article 119, part one, two, three, five, six, eight, ten,

and eleven of article 121, articles 121<sup>1</sup>, 121<sup>2</sup>, part one, two, three, five, and six of article 122, part one of article 123, articles 124<sup>1</sup>, 125, part one, two, and four of article 126, part one, two, and three of article 127, articles 128-129, part one of article 132<sup>1</sup>, part one and five of article 133, parts three, six, eight, nine, ten, and eleven of article 133<sup>1</sup>, article 135, article 136 (with the exception of violations on road transport), article 137, parts one, two, and three of article 140, articles 148, 151, parts six, seven, and eight of article 152<sup>1</sup>, articles 161, 164<sup>4</sup>, article 175<sup>1</sup> (with the exception of violations committed in places prohibited under a decision of respective village, settlement, city council), articles 176, 177, parts one and two of article 178, articles 180, 181<sup>1</sup>, part one of article 182, articles 183, 192, 194, 195<sup>7</sup>);

l) article 225 shall read as follows:

- **“Article 225. Maritime and Inland Water Transport Authorities**
- Maritime and inland water transport authorities hear administrative cases on: violation of rules on order maintenance and maritime and inland navigation safety, the rules on maritime and inland navigation vessel operation, the rules on order maintenance and safety of navigation of small vessels, sport crafts, water motorcycles, the rules of vessel voyage authorization or authorization of navigation by persons without required documents, the rules on navigation on maritime and inland waterways, navigation within sea port water area, the rules on vessel registration, the rules on small vessels, water motorcycles, sport crafts operation, the rules on small vessels stationing sites safe operation, the rules on maritime and inland navigation transport fire safety, authorization to navigate maritime, inland navigation vessels, sport crafts, small vessels or water motorcycles by a person in the state of intoxication, delegation of vessel navigation to a person in the state of intoxication, navigation of an inland navigation vessels, sport crafts, small vessels or water motorcycles by an intoxicated boatmaster, including the violation committed by persons who are not entitled to handle floating devices, evasion from medical examination in case of intoxication, failure to allow officials authorized to carry out vessel inspections to come on board inland navigation vessel, exceeding the hand baggage parameters on board of maritime and inland navigation vessels, fare evasion on maritime and inland navigation vessels, violation of the procedure for business activity (with regard to violation in the area of economic activity operations on maritime and inland navigation vessels), failure to comply with lawful requirements of officials of maritime and inland water transport authorities (Articles 114, 115, 116, 116<sup>1</sup>, 116<sup>2</sup>, 116<sup>3</sup>, 118, 118<sup>1</sup>, part one of article 120, part three of article 129, part one of article 134, paragraph ten of article 135, article 164 (provisions regarding violations of commercial activity procedures related to operation of maritime and inland water transport), article 188<sup>15</sup> of this Code).
- The right to hear administrative cases and impose administrative penalties on behalf of maritime and inland water transport shall be granted to the following authorities:
  - for administrative violations under parts one, two, and three of article 114, article 118<sup>1</sup> of this Code – the vessel captain, boatmaster;
  - for administrative violations under parts 4, 5, 6, 7, 8, 9, 10 and 11 of article 114 of this Code – the head of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the head of the regional office of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, sea port harbor master, and his/her deputies;
  - for administrative violations under article 115 of this Code – the head of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the head of the regional office of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the state inspector of the central authority of executive power implementing state policy in the area of maritime and inland water transport, sea port harbor master, his/her deputies, vessel captain, and boatmaster;



- for violations under articles 116 and 118 of this Code – the state inspector of the central authority of executive power implementing state policy in the area of maritime and inland water transport, the inspector of sea port harbor master service;
  - for administrative violations under article 116<sup>1</sup>, parts one, two, three, five and six of article 116<sup>2</sup>, parts 4, 5 and 6 of article 116<sup>3</sup>, part three of article 129 of this Code – the head of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the head of the regional office of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, sea port harbor master, and his/her deputies;
  - for administrative violations under parts one, two, and three of article 116<sup>3</sup> of this Code – the head of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the head of the regional office of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the state inspector of the central authority of executive power implementing state policy in the area of maritime and inland water transport;
  - for administrative violations under part one of article 120 of this Code – the head of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the head of the regional office of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, sea port harbor master, and his/her deputies, vessel captain;
  - for violations under part one of article 134 and paragraph ten of article 135 of this Code – sea port harbor master, vessel captain and boatmaster;
  - for violations under article 164, part two of article 164 (with regard to violation in the area of economic activity operations on maritime and inland navigation transport) of this Code – the head of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the head of regional office of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies;
  - for administrative violations under article 188<sup>15</sup> of this Code – the head of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, the head of the regional office of the central authority of executive power implementing state policy in the area of maritime and inland water transport, his/her deputies, sea port harbor master, and his/her deputies”;
- m) in article 255:**
- the paragraph “of central authority of executive power implementing state policy in the area of navigation and maritime and river transport (article 136)” of point 1 of part one shall read as follows:  
“of the central authority of executive power implementing state policy in the area of maritime and inland water transport (part two of article 133)”;
  - point 3 of part two shall read as follows:  
“3) state inspector of the central authority of executive power implementing state policy in the area of navigation and maritime and inland water transport safety (part 4, 5, 6, 7, 8, 9, 10 and 11 of article 114, parts one, five, six of article 116<sup>2</sup>, parts 4 - 6 of article 116<sup>3</sup>, articles 118, 118<sup>1</sup>, part three of article 129, article 164 (provisions regarding violations of commercial activity procedures directly related to operation of maritime and inland navigation vessels), article and 188<sup>15</sup>)”;
- n) part one of article 258 shall read as follows:**
- “A protocol shall not be drawn up in the event of committing an administrative violations provided under articles 70, 77, part three of article 85, article 153, in the event that the rate of the penalty does not exceed three times the tax exempted minimum incomes of citizens; part one of article 85, in the event that the rate of the penalty does not exceed seven

the tax exempted minimum incomes of citizens, article 107 (in the event of committing of violations listed in part three of article 238), part three of article 109, article 110, parts one, two, three of article 114, articles 115, parts one, two of article 116<sup>1</sup>, part one, two and three of article 116<sup>3</sup>, articles 119, 134, 135, parts one, two, three and five of article 185<sup>3</sup>, article 197 (in the event of imposition of an administrative penalty in the form of a warning), article 198 (in the event of imposition of an administrative penalty in the form of a warning), as well as articles 202 - 203<sup>1</sup>, 204<sup>2</sup>, 204<sup>4</sup> (in the event of detection of these violations at the checkpoints at the state border of Ukraine or the entry/exit control points) of this Code in the event that the person does not challenge the violation and the relevant administrative penalty imposed”;

**o)** in parts one and two of article 206, the words “drivers/masters” and “river and small vessels” shall be replaced with the words “persons” and “maritime, river, small vessels, sport crafts, and water motorcycles”;

**p)** in article 266:

- in the title, in parts one and seven, the words “river and small-size vessels”, “river or small-size vessels» shall be replaced with “maritime, river, small vessels, sport crafts, or water motorcycles” with regard to appropriate grammatical form;
- in parts two and three, the words “driver/master (boatmaster)” shall be replaced with the words “the person navigating the vehicle, maritime, river, small vessel, sport craft, or water motorcycle”;

**q)** in articles 267 and 318 the words «river and small-size vessel», “river or small-size vessel” in all grammatical forms shall be replaced with the words “maritime, river vessels, sport crafts, or water motorcycles” in appropriate grammatical form;

**r)** in part three of article 306, the words «central authority of executive power ensuring implementation of state policy in the area of maritime and river transport safety» shall be replaced with «the central authority of executive power implementing state policy in the area of maritime (inland water) transport»;

**s)** part two of article 317 shall read as follows:

“The ruling on deprivation of the right to navigate vessels shall be executed by the head of the central authority of executive power implementing state policy in the area of maritime (inland water) transport, his/her deputies, the head of the regional office of the central authority of executive power implementing state policy in the area of maritime (inland water) transport, his/her deputies, sea port harbor master, and his/her deputies”;

**t)** in the Code text, the words «river transport» in all grammatical forms shall to be replaced with «inland water transport» in appropriate grammatical forms;

- in the Water Code of Ukraine (Journal of the Verkhovna Rada of Ukraine, 1995, No. 24, p. 189):

- paragraph 5 of article 8 shall read as follows:

“5) establishment of the local rules of navigation for small vessels, sport crafts and water motorcycles, rules of use of water recreational crafts, according to the procedure established by law”;

- paragraph 10 of article 8<sup>1</sup> shall read as follows:

“10) establishment of the local rules of navigation for small vessels, sport crafts and water motorcycles, rules of use of water recreational crafts, according to the procedure established by law”;

- paragraph 7 of article 14 after the words “dredging” shall be supplemented with “(with the exception of operational dredging)”;
- paragraph 5 of part one of article 15<sup>1</sup>, after the words “on the water reserve lands” shall be supplemented with “(except for operational dredging)”;
- part one of article 16:

- point 2 shall read as follows:

“2) development and establishment of artificial water objects and water supply systems operational modes, approval of their rules of operation”;

point 9<sup>1</sup>, after the words “performance of works” shall be supplemented with “(with the exception of operational dredging)”;

- in parts one and two of article 47 the words “vessel navigation” to be replaced with “pleasure craft navigation”;
- part three of article 48, after paragraph 11 shall be supplemented with two new paragraphs that read as follows:
- “use of surface water for navigation;
- performance of works for operational dredging”.

Therefore, paragraphs twelve and thirteen shall become paragraphs fourteen and fifteen respectively;

in part seven of article 51 the words «vessel navigation» shall be replaced with «pleasure craft navigation»;

part four of article 66 shall read as follows:

- «Hydraulic power plants shall follow water capacity accumulation/exhaustion modes, modes of level variance in lower and upper lock pools (biefs), and water passing through the hydraulic engineering facilities under the condition of maintaining the water level necessary to preserve the guaranteed navigable channel dimensions, uninterrupted navigation and vessel passing through the navigable locks, as well as fish swimming to its breeding areas according to fish passing facility designs, according to legally established operating modes for artificial water objects and water utilization systems with regard to water supply forecast, environmental requirements and interests of all water consumers. The hydraulic power plants operating the facilities shall timely notify the central authority of executive power implementing state policy in the area of inland water transport of any expected temporary impossibility to ensure the necessary water level”;
- **Article 67** shall read as follows:
- “Article 67. Peculiarities of Use of Water Objects for the Needs of Maritime and Inland Water Transport, Small Vessels
- Rivers, lakes, artificial reservoirs, canals, other reservoirs, sea port water areas, inland maritime waters and territorial sea constitute public waterways unless their use, in part or in full, for this purpose is directly prohibited by the legislation of Ukraine.
- The list of inland maritime waters and inland waterways classified as navigable shall be approved by the Cabinet of Ministers of Ukraine. The classification of maritime and inland waterways shall be made by the central authority of executive power responsible for development of state policy in the area of maritime and inland water transport.
- Discharge of oil, oil-containing mixtures, harmful liquid substances, cargo and operational waste and garbage (with the exception of food waste) in the exclusive (marine) economic zone of Ukraine, in the territorial sea, within other public waterways shall be prohibited. Discharge of clean water ballast from the vessels shall be carried out in compliance with international treaties of Ukraine and the rules of protection on maritime waters and territorial sea against pollution and littering. Discharge of clean water ballast on inland waterways shall be prohibited.
- Food waste discharge from vessels shall be carried out in compliance with requirements of the International Convention for the Prevention of Pollution from Ships (1973) replaced by the 1978 Protocol thereto.
- Discharge of waste water from vessels shall be allowed in the territorial sea, inland maritime waterways, and other public waterways, within water areas of sea ports without restrictions, in motion and during anchorage provided they were treated and disinfected in the vessel treatment facilities in compliance with the 1973 International Convention for the Prevention of Pollution from Ships amended by the relevant 1978 Protocol, or in compliance with the

technical requirements for inland navigation vessels approved by the central authority of executive power ensuring development of state policy in the area of inland water transport.

- It shall be permitted to discharge segregated water ballast within the territorial sea, inland maritime waterways, other public waterways, sea port water areas if it was taken aboard the vessel within the basin waters of the Black Sea and the Sea of Azov or replaced during vessel navigation as far away as possible from the nearest coast, however at a distance of at least 50 nautical miles from the nearest coast and in places with water depth of at least 200 meters, or if this water ballast was disinfected by the vessel water ballast treatment system compliant with requirements of international convention in the area of merchant marine navigation.
- The terms “segregated ballast”, “oil”, “oil-containing mixture”, “waste”, “bilge water”, “clean ballast”, “harmful liquid substance” in this article shall be used in their meanings provided in the International Convention for the Prevention of Pollution from Ships (1973) amended by its Protocol (1978). For the purposes of this article, the vessel food waste shall mean the food products that lost their initial nutrition value, in part or in full, in the process of their storage, processing, and consumption on board a vessel.
- To prevent contamination of public waterways, vessels and floating construction shall be equipped with equipment for accumulation and/or disposal of polluting substances according to the 1973 International Convention for the Prevention of Pollution from Ships, as amended by its 1978 Protocol, or according to technical requirements for inland navigation vessels subject to compliance with the legislation of the European Union.
- The use of water objects for navigation of small vessels, sport crafts and water motorcycles and use of recreational water crafts is permitted under the condition of observance of rules for navigation in the areas of heavy traffic on maritime waterways and the rules for navigation on inland waterways approved by the central authority of executive power ensuring development of state policy in the area of maritime and inland water transport, and local rules of navigation for small vessels, sport crafts, water motorcycles and recreational water crafts established by the Verkhovna Rada of the Autonomous Republic of Crimea, regional, Kyiv and Sevastopol City Councils upon consent of the central authority of executive power implementing state policy in the area of maritime and inland water transport.
- Construction of bridges, bridge crossings, other constructions, installation of engineering communication lines that obstruct passage for small vessels shall be prohibited. Navigable section bridge clearance of the abovementioned bridges, crossings and structures shall equal no less than 1.5 meters from the design high navigable water level with no less than 3 meters in width. Installation of any underwater communications (crossings) on small rivers obstructing passage of small vessels with maximum draught up to 1.5 meters from the water design level shall be prohibited»;
  - Article 76 shall be excluded;
  - article 77 and 78 shall read as follows:
- **“Article 77.** Operation of Artificial Water Objects and Water Supply Systems
- Operational mode of artificial water objects and water supply systems shall be established by the central authority of executive power implementing state policy in the area of water and inland water management with regard to the water supply forecast, environmental requirements and interests of all water users.
- Development of operational modes of artificial reservoirs and water supply systems shall be performed with regard to the rules of operation approved by the central authority of executive power implementing state policy in the area of development of water management for each artificial reservoirs and water supply system individually. The rules of operation for reservoir cascades and the procedure for establishment of operational modes for artificial water objects and water supply systems shall be approved by the central authority of executive power ensuring development of state policy in the area of environmental protection with approval of the central authority of executive power ensuring

development of state policy in the area of maritime and inland water transport, the central authority of executive power ensuring development of state policy in the area of fuel and energy sector, the central authority of executive power ensuring development of state policy in the area of housing and public utilities, the central authority of executive power ensuring development of state policy in the area of fishing industry, the central authority of executive power ensuring development of state policy in the area of civil defense, the central authority of executive power ensuring development of state policy in the area of sanitary and epidemiological public wellbeing, and the central authority of executive power implementing state policy in the area of water management.

- **Article 78.** Obligations of Water Users Operating Structures of Artificial Water Objects and Water Supply Systems
- Water users operating structures of artificial water objects and water supply systems shall follow established modes of their operation. The balance holders of the respective hydraulic engineering structures shall be the customers for the development of the water reservoirs or water industry system operation rules.
- **article 79** after part four shall be supplemented with new part as follows:
- “The lists of large and medium-size rivers with information on their water extraction areas shall be prepared by the central authority of executive power implementing state policy in the area of development of water management, and shall be published on its official website”.
- Therefore, parts five and six shall respectively become parts six and seven respectively;
- **in Article 86:**
- part one shall read as follows:  
“It is permitted to perform works related to construction of hydraulic engineering, linear and hydrometric structures, technical engineering, and fortification constructions, fences, border signs, borderline forest clearances, dredging to ensure navigation, including operational dredging (works performed to maintain the established navigational dimensions of maritime waterways and inland waterways, sea port water areas), extraction of natural resources (with the exception of sand, pebble and crushed stone in waterbeds of small and mountain rivers), sediment control in riverbeds, canals and reservoir waterbed, installation of cables, installation of pipelines, other communications, as well as drilling and geological survey works on the water reserve lands”;
- part two after the words “performance of the abovementioned works” shall be supplemented with “(with the exception of operational dredging)”;
- part three shall be supplemented as follows:  
«Locations and procedure of conducting operational dredging shall be established according to hydraulic engineering structure passports and/or the engineering works plan and shall not require obtaining a permit for fulfillment of works on the river fund lands»;
- part four of article 88 after expression «lands of maritime» shall be supplemented with «and inland waterway»;
- part two of article 92 shall read as follows:  
“The size of the waterway shore line shall be determined as no less than 20 meters wide from the edge of the water further into the shore considering the long-term average water level within the boundaries of the river sections and the normal support water level for any artificially-created waterways. For shores that have slopes of more than 45 degrees, the waterway shore line shall be determined from the edge of the shore further into the shore”;
- the text of the article 102 shall read as follows:  
“It is prohibited to dump any chemical, radioactive and other harmful substances, as well as radioactive or any other harmful substances, radioactive or other waste, materials, items and garbage that may cause pollution of the sea from any vessels into inland maritime waters and the territorial sea (with the exception of discharge performed according to article 67 of this Code).

- Protection of inland maritime waters and the territorial sea from pollution and contamination shall be carried out in accordance with this Code, international treaties of Ukraine, as well as the rules for pollution protection for inland maritime waters and the territorial sea developed with regard to international treaties of Ukraine and approved by the Cabinet of Ministers of Ukraine»;
  - in the Merchant Marine Code of Ukraine (Journal of the Verkhovna Rada of Ukraine, 1995, No. 47-52, p. 349):
    - part two of article 1 shall read as follows:  
“For the purposes of this Code, merchant shipping means activity related to vessels use for transportation of cargo, passengers, baggage and mail, fishery industry, exploration and extraction of resources, search and rescue of people in distress at sea, towing, ice-breaking and emergency rescue operations, hydrographical works, cable installation, other activities for economic, scientific, and cultural purposes”;
- **in article 3:**
- in part one, the words «central authority of executive power ensuring development and implementing state policy in the area of sea and river transport» shall be replaced with “the central authority of executive power ensuring development of state policy in the area of maritime and inland water transport, the central authority of executive power implementing state policy in the area of maritime transport”;
- part two after the words «direct water connection» shall further read as follows: «technical requirements for maritime vessels, procedure of performance of vessel technical oversight, rules on vessels control to ensure safety of maritime navigation, provisions on classification, the procedure for investigation and keeping records of maritime emergency events that involve vessels, the procedure of vessel registration in the State Vessel Register of Ukraine, and the procedure for registration of vessels in the Vessel Book of Ukraine, other acts»;
- part three shall be excluded;
- **in article 10:**
- the title and part one shall read as follows:
- “Article 10. State Monitoring and Ensuring Implementation of State Policy in the Area of Merchant Shipping
- State monitoring and implementation of state policy in the area of merchant shipping shall be the responsibility of the central authority of executive power ensuring implementation of state policy in the area of maritime transport, that carries out the following:
- ensuring observance and fulfillment of obligations undertaken under international treaties of Ukraine in the area of maritime transport, merchant shipping, hydrographical navigation support;
- state oversight of fulfillment of obligations undertaken under international treaties of Ukraine and other legislative acts in the area of merchant shipping on Ukrainian (flag state control) and foreign (port state control) commercial vessels, monitoring of safety of navigation on maritime waterways, in sea port water areas and objects of port infrastructure, traffic control and vessel pilotage;
- organization and control of hydrographical support to navigation, search and rescue of people in distress at sea, certification of seafarers, control over ensuring vessel and port facility security;
- control of activity of the recognized organizations authorized according to international treaties of Ukraine in the area of merchant shipping and this Code to perform technical oversight of Ukrainian commercial vessels;
- registration of maritime vessels and inland navigation vessels, issuance of vessel documents, identification documents and qualification documents of seafarers according to the established procedure;
- other functions defined by the law”;
- part 2 shall be excluded;

- **in article 12:**
  - part two shall read as follows:  
“The central authority of executive power implementing state policy in the area of maritime transport, within its powers established by law, shall approve allocation of land and water space for merchant shipping, as well as construction projects or performance of other works within the navigation equipment operation range and maritime ways. The central authority of executive power that ensures development and implements state policy in the area of maritime and inland water transport shall determine the procedure for approval of allocation of land and water space for merchant shipping, as well as construction projects or performance of other works within the navigation equipment operation range and maritime ways.”;
  - part three shall be excluded;
  - in part four, the words «the central authority of executive power ensuring development of state policy in the area of transport» shall be replaced with the words «the central authority of executive power implementing state policy in the area of maritime transport»;
- **in article 13:**
  - paragraphs two and three of part one shall read as follows:
  - “on maritime vessels – during their navigation by maritime waterways and by inland waterways, unless prescribed otherwise by the Law of Ukraine *On Inland Water Transport* or by international treaties of Ukraine;
  - on inland navigation vessels – during their navigation by maritime waterways and in instances provided under articles 15, 22, 24, 26-31, 297 and 327 of this Code”;
  - in part four, the words «involving maritime transport» shall be replaced with the words “involving maritime vessels”;
- **in article 15:**
  - points one and two of part one shall read as follows:  
“1) for transportation of cargo, passengers, baggage, and mail, for performance of fishery industry activity (including fishery vessels), exploration and extraction of resources, search and rescue of people in distress at sea, towing of other vessels and floating objects, emergency rescue operations, hydrographical and hydraulic engineering works, vessel and passenger servicing within sea port (sea terminal), recovery of property sunken at sea; for performance of state oversight on safety of marine navigation, marine environment and biodiversity protection»;  
shall be supplemented with parts five and six that shall read as follows:  
«For the purposes of this Code, passenger vessel means any vessel carrying more than 12 passengers.  
The terms “small vessel”, “recreational craft”, “sport craft”, “inland navigation vessel” shall be used in this Code in their meaning established in the Law of Ukraine *On Inland Water Transport*”;
  - in part two of article 20, the words “entity with the ownership right or a person” shall be replaced with the words “physical person or legal entity”;
  - **article 22** shall read as follows:  
“Article 22. Classification of Maritime Vessels. Oversight over Vessels. Recognized Organizations.
  - Classification of Ukrainian vessels shall be carried out by a classification society (recognized organization) selected by the vessel holder.
  - Oversight over the compliance of Ukrainian vessels with the requirements established by the legislation of Ukraine, international treaties of Ukraine in the area of merchant marine navigation, issuance of respective vessel documents shall be carried out by the central authority of executive power implementing state policy in the area of maritime transport or the classification society (recognized organization) authorized by the central authority of

executive power that ensures development and implements state policy in the areas of maritime and inland water transport.

- The authorization of a classification society (recognized organization) to perform oversight over the compliance of Ukrainian vessels with the requirements established by the legislation of Ukraine, international treaties of Ukraine in the area of merchant marine navigation shall be carried out in compliance with the procedure established by the central authority of executive power implementing state policy in the area of maritime transport in the basis of an authorization agreement for the provision of services for the oversight of compliance with requirements established by the legislation of Ukraine and international treaties of Ukraine in the area of merchant maritime navigation by Ukrainian vessels. The above-mentioned agreements shall be drawn up with the classification society (recognized organization) by the central authority of executive power implementing state policy in the area of maritime transport.
- The procedure for technical oversight of Ukrainian vessel's compliance with the requirements established by the legislation of Ukraine and international treaties of Ukraine in the area of merchant marine navigation shall be developed with regard to international treaties of Ukraine and requirements of the legislation of the European Union, and shall be approved by the central authority of executive power implementing state policy in the area of maritime and inland water transport.
- The procedure for the authorization of a classification society (recognized organization) for the performance of oversight over the Ukrainian vessels' compliance with the requirements established by the legislation of Ukraine and the international treaties of Ukraine in the area of merchant marine navigation, shall, in particular, determined the requirements (criteria) that the classification societies (recognized organizations) shall comply with, the procedure for the execution of the authorization agreement for the provision of services of oversight over the compliance of maritime vessels flying the flag of Ukraine with the requirements established by the legislation of Ukraine and international treaties of Ukraine in the area of merchant marine navigation, and the typical template of such agreement, the procedure for the control (monitoring) of the classification societies' (recognized organizations') fulfillment of oversight over the maritime vessels' compliance with the requirements established by the legislation of Ukraine and international treaties of Ukraine in the area of merchant marine navigation, as well as over the classification societies' (recognized organizations') compliance with the requirements established by the legislation.
- Control (monitoring) over the classification societies' (recognized organizations') fulfillment of oversight over the compliance of Ukrainian vessels with the requirements established by the legislation of Ukraine, international treaties of Ukraine in the area of merchant marine navigation shall be carried out by the central authority of executive power implementing state policy in the area of maritime transport.
- Technical oversight over the compliance of inland navigation vessels, small vessels, and water motorcycles with the requirements of national legislation and international treaties of Ukraine, their classification shall be carried out according to the Law of Ukraine *On Inland Water Transport*.
- **article 23 shall be supplemented with parts 2 through 5 reading as follows:**  
"Technical requirements to maritime vessels shall be developed and approved by the central authority of executive power that ensures development of state policy in the area maritime and inland water transport, and shall include fundamental requirements to vessel construction, equipping and operation which are not established by international treaties of Ukraine and the technical regulation for maritime equipment for vessels, with regard to vessel navigation regions and conditions, as well as international treaties of Ukraine and requirements of the legislation of the European Union.  
Technical requirements to maritime vessels shall also establish a list of mandatory radio equipment for vessels not involved in international voyages.



Passenger vessels must be suitable for use by persons with limited mobility.

- Technical requirements to inland navigation vessels shall be established in accordance with the Law of Ukraine *On Inland Water Transport*;  
**j)** in subpoints “b” and “c” of article 25, the words “the central authority of executive power ensuring development and implementing state policy in the area of maritime and river transport” shall be replaced with “the central authority of executive power implementing state policy in the area of maritime transport” in all appropriate grammatical forms;
- **k)** apart one through three and part six of article 26 shall read as follows;
- “Ukrainian maritime vessels and inland navigation vessel shall be subject to registration in the State Vessel Register of Ukraine. The vessels that are not subject to registration in the State Vessel Register of Ukraine shall be registered in the Vessel Book of Ukraine according to the Law of Ukraine *On Inland Water Transport*.”
- It shall be prohibited to register in the State Vessel Register of Ukraine any vessels owned by the vessel owners or vessel holder who are citizens of a state determined by Ukraine as an aggressor state or an occupant state, or economic entities that are registered on the territory of a state determined by Ukraine as an aggressor state or an occupant state, legal entities registered on the territory of Ukraine the participants (shareholders, members) or ultimate beneficiary owners of which are citizens of a state determined by Ukraine to be an aggressor state or an occupant state, legal entities registered within the territory of a Ukraine the participants (shareholders, members) or ultimate beneficiary owners of which is a state determined by Ukraine as an aggressor state or an occupant state; physical individuals and legal entities subject to special economic and other restrictive measures (sanctions) in accordance with the Law of Ukraine *On Sanctions*.
- Foreign vessels chartered according to a bare-boat charter agreement shall be subject to temporary registration in the State Vessel Register of Ukraine for a period that does not exceed the agreement validity term, in the event that at the time of its registration the vessel was not been registered in a vessel register of another state or if this vessel was registered in a vessel register of other state, but the relevant entry was terminated or a permission was granted by an authorized authority from the state of foreign registration of the vessel for its temporary registration in Ukraine”;
- “The procedure for vessel registration in the State Vessel Register of Ukraine shall be established by the central authority of executive power ensuring development and implementing state policy in the area of maritime and inland water transport”;
- **l) article 27** shall read as follows:
  - “Article 27. Procedure and Conditions for Vessel Registration, Termination or Temporary Suspension of Vessel Registration in the State Vessel Register of Ukraine
  - Registration of maritime and inland navigation vessels in the State Vessel Register of Ukraine shall be carried out by the central authority of executive power implementing state policy in the area of maritime transport. Vessel registration in the State Vessel Register of Ukraine shall be certified by a certificate authorizing navigation under the State Flag of Ukraine (the vessel patent) issued with no expiry date, or a temporary certificate authorizing navigation under the State Flag of Ukraine, as well as by the certificate verifying vessel ownership title issued with no expiry date.
  - Termination of registration for a maritime or inland navigation vessel in the State Vessel Register of Ukraine shall be certified by a certificate of temporary suspension of the vessel from the State Vessel Register of Ukraine or a certificate of the vessel exclusion from the State Vessel Register of Ukraine.
  - The documents provided under parts one and two of this article shall be issued by the central authority of executive power implementing state policy in the area of maritime transport.
  - In the event of any information change requiring correction of the data entered into the State Vessel Register of Ukraine, the central authority of executive power implementing state policy in the area of maritime transport shall issue new documents and make relevant

amends to the State Vessel Register of Ukraine. At the same time, the document subject to replacement shall be returned to the authority. The applicant shall submit the documents necessary for introduction of amends into the State Vessel Register of Ukraine within 14 calendar days upon the date of emergence of such changes.

- Issuance of new documents replacing the lost ones shall be carried out upon publication of an announcement on the loss and invalidation of the documents in mass media by the vessel holder at its expense.
- Registration or temporary registration of a vessel in the State Vessel Register of Ukraine, removal or temporary removal of a vessel from the State Vessel Register of Ukraine (registration termination or temporary termination), amendment of data in the State Vessel Register of Ukraine, issuance of new documents replacing the lost ones, all constitute chargeable services subject to an administrative fee.
- The administrative fee shall not be charged in case of the following:
  - primary vessel registration under the State Flag of Ukraine (with the exception of recreational crafts, small vessels) constructed in Ukraine, for vessels no more than 5 years old;
  - termination of vessel registration in the State Vessel Register of Ukraine in the event of vessel destruction, its going missing, its recognition as unfit for further operation;
  - introduction of amendments to the State Vessel Register of Ukraine caused by adoption of a decision to amend the name of the administrative and territorial unit or relocation of any boundary of any administrative and territorial unit, renaming of a street.
- Registration or temporary registration of a vessel in the State Vessel Register of Ukraine, termination or temporary termination of a vessel registration in the State Vessel Register of Ukraine, amendment of information in the State Vessel Register of Ukraine, issuance of new documents replacing the lost ones shall be carried out within five business days upon the acceptance of the relevant application. At the request of the applicant, the registration activities shall be carried out within two business days upon the acceptance of the relevant application, in which case the administrative fee rate shall double. In the event that the applicant wishes to receive the documents by mail, the documents shall be sent no later than the following business day upon fulfillment of the registration activities.
- The administrative fee for the vessel registration under the State Flag of Ukraine shall be calculated according to the following procedure: the minimum cost of living established for employable persons as of 1 January of the relevant calendar year, multiplied by the vessel technical characteristic coefficient, multiplied by the actual number of vessel type measurement units.

the rate of the administrative fee shall be calculated according to the differentiation of the appropriate age, type, and parameters of the vessel	coefficient	up to 5 years
	0.5	from 5 to 10 years
	coefficient	years
	0.7	from 10 to 15 years
	coefficient	years
	0.8	from 15 to 20 years
coefficient	years	
1.0	over 20 years	
coefficient		
1.2		
1) recreational craft	0.0008	from 501 units, as for a vessel with the

		capacity of 10,000 units
2) passenger	0.002	up to and including 2000 units, as for a vessel with the capacity of 2000 units
	0.003	from 2001 units
3) tankers (bunkering vessel)	0.008	up to and including 2000 units, as for a vessel with the capacity of 2000 units
	• 0.004	• from 2001 units up to and including 5000 units, as for a vessel with the capacity of 5000 units
	• 0.005	• from 5001 units
• 4) vessels carrying chemicals and dangerous goods	• 0.006	• up to and including 5000 units, as for a vessel with the capacity of 5000 units
	• 0.007	• from 5001 units
• 5) dry cargo vessels (bulk carriers)	• 0.005	• up to and including 2000 units, as for a vessel with the capacity of 2000 units
	• 0.006	• from 2001 units
• 6) special-purpose and other vessels	• 0.008	• up to and including 500 units, as for a vessel with the capacity of 500 units
	• 0.004	• from 501 units up to and including 2000 units, as for a vessel with the

		capacity of 2000 units
	• 0.005	• from 2001 units

- The rate of the administrative fee for the temporary vessel registration under the State Flag of Ukraine equals 0.8 of the cost of the vessel registration in the State Vessel Register of Ukraine.
- The rate of the administrative fee for the temporary exclusion of vessel from the State Vessel Register of Ukraine with issuance of the relevant certificate equals 0.8 of the cost of the vessel registration in the State Vessel Register of Ukraine.
- The rate of the administrative fee for the exclusion of vessel from the State Vessel Register of Ukraine with issuance of the relevant certificate equals 0.5 of the cost of the vessel registration in the State Vessel Register of Ukraine.
- The application for registration or temporary registration of a vessel, removal or temporary removal of a vessel from the State Vessel Register of Ukraine and its supporting documents shall be submitted to the central authority of executive power implementing state policy in the area of maritime transport in one of the following ways:
  - personally by the vessel holder or his/her authorized representative;
  - sent by mail with delivery confirmation and description of content;
  - in the electronic format.
- The application shall include a specific indication of the way the applicant wishes to receive the relevant document (by mail, personally or via a representative) and the term for conducting of the registration activity (regular or within two business days from the date of the application acceptance).
- Copies of documents attached to the application shall be notarized or certified by their issuing authorities. A copy of the vessel owner identification document that verifies his/her citizenship shall be certified by its holder. The copy of the tonnage certificate may be certified by the applicant. Any documents issued in a foreign language shall be supplemented by duly certified translation into the state language. Application shall also be supported by description list of documents attached, signed by the applicant.
- The application for vessel registration shall be supplemented with the following documents:
  - copies of documents verifying the vessel and engine (if bought separately) ownership title;
  - a copy of the tonnage certificate (if available);
  - certificate for the temporary right to navigate under the State Flag of Ukraine (if the vessel is temporarily registered in the State Vessel Register of Ukraine and the registration term has not yet expired);
  - documents verifying the loss of right to navigate under the state flag of another state or cancellation of the record in a foreign vessel register (if the vessel was previously registered by relevant foreign state agency);
  - a copy of the document verifying identity and citizenship of the vessel owner;
  - photographs of the vessel in paper format (full view of left and right sides);
  - a copy of the document verifying payment of the registration fee.
- For temporary registration of a foreign vessel chartered according to bare-boat charter agreement, the application shall also be supplicated with the following documents:
  - a copy of the charter agreement;
  - a written permit of the vessel owner for temporary registration in Ukraine;
  - written consent of authorized agency of the state of foreign vessel registration for temporary registration of the vessel in Ukraine (in the instances provided under part three of article 26 of this Code);
  - a written permit of pledge holder for temporary registration in Ukraine (if the vessel is under pledge).

- The application for removal or temporary removal of the vessel from the State Vessel Register of Ukraine shall be supplemented with the following documents:
  - the applicant's written explanation of the need for termination of vessel registration in the State Vessel Register of Ukraine (in the event of vessel destruction, its going missing, its recognition as unfit for further operation);
  - the certificate authorizing vessel navigation under the State Flag of Ukraine or temporary navigation under the State Flag of Ukraine (not provided in the event of the vessel destruction, having gone missing);
  - the vessel ownership certificate;
  - written authorization of pledge holder for cancellation of registration in the State Vessel Register of Ukraine (if vessel is under pledge);
  - a copy of the document verifying payment of the registration fee.
- The application for amendment of information in the State Vessel Register of Ukraine shall be supplemented with the following documents:
  - a written justification signed by applicant and the documents proving the need for amendment of the information in the State Vessel Register of Ukraine (if available);
  - the previously issued document subject to replacement (if necessary).
  - a copy of the document verifying payment of the registration fee.
- The application for issuance of new documents replacing the lost ones shall be supplemented with the following documents:
  - a copy of the printed mass media containing the announcement on document loss and invalidation published in it;
  - a copy of the document verifying payment of the registration fee.
- Acceptance of the application shall be the duty of the official of the central authority of executive power implementing state policy in the area of maritime transport. At the time of the application acceptance, the official shall verify the availability of all required documents. The data indicated in these documents shall not be subject to verification at the time of the application acceptance.
- In the event of availability of all the necessary documents, the official of the central authority of executive power implementing state policy in the area of maritime transport shall be obligated to register the application indicating the date of its actual receipt. The application acceptance shall be verified by the notification (stamp) of the accepting official placed on a copy of the application with acceptance date indicated on it, or the confirmation of delivery to the official (in the event of sending application by mail).
- Any refusal of the official of the central authority of executive power implementing state policy in the area of maritime transport to accept the application for any reason other than as established under this article, including requiring any preconditions regarding the acceptance of the application other than those established under this article, shall be prohibited.
- According to the result of consideration of the application, the central authority of executive power implementing state policy in the area of maritime transport:
  - carries out registration or temporary registration of the vessel in the State Vessel Register of Ukraine, terminates or temporarily terminates the vessel registration in the State Vessel Register of Ukraine, amends information in the State Vessel Register of Ukraine, issues new documents replacing the lost ones;
  - refuses registration or temporary registration of the vessel in the State Vessel Register of Ukraine, termination or temporary termination of the vessel registration in the State Vessel Register of Ukraine, amending of information in the State Vessel Register of Ukraine, issuance of new documents replacing the lost ones.
- Reasons for refusing registration or temporary registration of the vessel, termination or temporary termination of the vessel registration, amending of information in the State Vessel Register of Ukraine, issuance of new documents replacing the lost ones shall be the following:

- failure to submit the documents indicated in this article;
- submission of documents containing inaccurate data;
- incompliance of the documents submitted with requirements of the law.
- In the event of refusal to carry out registration or temporary registration of a maritime vessel in the State Vessel Register of Ukraine, removal or temporary removal of vessel from the State Vessel Register of Ukraine, amendment of information in the State Vessel Register of Ukraine, issuance of new documents to replace the lost ones, the central authority of executive power implementing state policy in the area of maritime transport shall provide a relevant written response to the applicant within five business days from the date of relevant application receipt, or two business days in the event that at the applicant's request the registration are to be conducted within the term of two business days from the date of acceptance of the respective application.
- In the event of a refusal to accept the application, the applicant shall be entitled to the following:
  - submit a corrected application;
  - to challenge the decision of the official of the central authority of executive power implementing state policy in the area of inland water transport according to the procedure established by the legislation.
- In the event of refusal of vessel registration or temporary registration, temporary termination of vessel registration, introduction of amends into the Vessel Book of Ukraine, issuance of documents to replace the lost ones, the applicant shall be entitled to reimbursement of the registration fee paid to the state budget as a payment excessively charged, according to the procedure established by the legislation.
- Information on the vessels registered or registered temporarily in the State Vessel Register of Ukraine, publically available free of charge, shall be published in a systematized format on the official web-site of the central authority of executive power implementing state policy in the area of navigation and maritime transport.
- The procedure and conditions for vessel registration in the State Vessel Register of Ukraine shall be established under the Law of Ukraine *On Inland Water Transport*»;
  - m) articles 28** and 30 shall be excluded;
  - n) part three of article 32** shall read as follows:
- "The right to navigate under the State Flag of Ukraine shall be granted to a vessel owned by a physical individual a citizen of Ukraine, a physical entity entrepreneur, an economic entity registered within the territory of Ukraine, or to a vessel operated by the above-mentioned persons/entities according to bare-boat charter agreement (with the exception of the vessels owned by the vessel owners or vessel holder who are citizens of a state determined by Ukraine as an aggressor state or an occupant state, or economic entities that are registered on the territory of a state determined by Ukraine as an aggressor state or an occupant state, legal entities registered on the territory of Ukraine the participants (shareholders, members) or ultimate beneficiary owners of which are citizens of a state determined by Ukraine to be an aggressor state or an occupant state, legal entities registered within the territory of a state determined by Ukraine as an aggressor state or an occupant state, the participants (shareholders, members) or ultimate beneficiary owners of which is a state determined by Ukraine as an aggressor state or an occupant state, physical individuals and legal entities subject to special economic and other restrictive measures (sanctions) in accordance with the Law of Ukraine *On Sanctions*)";
  - o) in part one of article 33 the** words «and certificates granting right to navigate under this flag» shall be replaced with «and receipt of the vessel patent or the vessel ticket»;
  - p) in article 34** the words "upon consent of the central authority of executive power implementing state policy in the area of transport (central authority of executive power implementing state policy in the area of safety of maritime navigation for fishing vessels)" shall be excluded;

**q) article 35** shall read as follows:

“Article 35. Vessel Documents

- Ukrainian self-propelled maritime vessel shall carry the following documents:
  - the certificate of the right to navigate under the State Flag of Ukraine (the vessel patent);
  - the classification certificate;
  - the tonnage certificate (for vessels with the hull length equal to and exceeding 24 meters);
  - the minimum safe manning certificate;
  - the passenger certificate (for the passenger vessel);
  - the vessel roll (the vessel crew list);
  - the list of passengers aboard the vessel (if applicable);
  - the vessel logbook;
  - the engine-room log (for motor vessels) which may be joined with the vessel logbook;
  - the permit to operate the vessel radio communication station (if applicable).
  - the load line certificate, if the vessels is used for purposes provided under points one and three of part one of article 15 of this Code;
  - the documents provided under the rules of registration of operations pertaining to harmful substances on vessels, in sea and river ports and terminals;
  - the documents related to transportation dangerous goods (on vessels transporting such cargo).
  - The passenger list shall be mandatory for passenger vessels with overnight accommodation compartments.
- Ukrainian uncrewed maritime vessel shall carry:
  - the certificate of the right to navigate under the State Flag of Ukraine (the vessel patent);
  - the tonnage certificate (for vessels with the length equal to and exceeding 24 meters).
- Registration of vessel operations with dangerous substances, determination of the minimum safe manning for vessels, and continuous synopsis record shall be done according to the rules established by the central authority of executive power ensuring development and implementing state policy in the area of maritime and inland water transport with regard to requirements under international treaties of Ukraine.
- The vessel making international voyages shall also carry documents provided under international treaties of Ukraine.
- The list of documents for small vessels, sport crafts and water motorcycles shall be established by the Law of Ukraine *On Inland Water Transport*»;

**r) article 37 shall be excluded;**

**s) article 38 shall read as follows:**

“Article 38. Issuance of Vessel Documents

- The certificate of the right to navigate under the State Flag of Ukraine shall be issued by the central authority of executive power implementing state policy in the area of maritime transport.
- The vessel ticket shall be issued by the central authority of executive power implementing state policy in the area of inland water transport.
- The vessel documents provided under international treaties of Ukraine shall be issued by the recognized organization authorized according to the bilateral agreement drawn up between such organization and the central authority of executive power implementing state policy in the area of maritime transport.
- The classification certificate, tonnage certificate, passenger certificate, load line certificate for vessels not involved in international voyages shall be issued by the classification society. According to the rules of the classification society, separate vessel categories may be exempt from issuance of the tonnage certificate or the load line certificate.
- The certificate of minimum safe manning and the continuous synopsis record shall be issued by the central authority of executive power implementing state policy in the area of maritime transport.

- The fee for the issuance of the minimum safer manning certificate at the time of the primary vessel registration under the State Flag of Ukraine for the vessels constructed in Ukraine and no more than 5 years old, shall not be charged.
- The fee for the issuance of the minimum safer manning certificate for small vessels that carry out commercial transportation of up to 12 passengers shall be at the rate of 0.3 the minimum cost of living established for employable persons as of 1 January of the relevant calendar year.
- The fee for the issuance of the minimum safer manning certificate shall be charged at the following rate:
  - for passenger vessels - 1.5 the minimum cost of living established for an employable person as of 1 January of the relevant calendar year;
  - for tankers (bunkering vessels) - 2.5 the minimum cost of living established for an employable person as of 1 January of the relevant calendar year;
  - for vessels carrying chemicals and dangerous goods - 1.9 the minimum cost of living established for an employable person as of 1 January of the relevant calendar year;
  - for special-purpose vessels - 0.9 the minimum cost of living established for an employable person as of 1 January of the relevant calendar year;
  - for bulk carriers and other vessels - 1.4 the minimum cost of living established for an employable person as of 1 January of the relevant calendar year;
- The fee for the issuance of the continuous synopsis record shall equal 1.4 the minimum cost of living established for an employable person as of 1 January of the relevant calendar year.
- The fee for the issuance of a duplicate of the continuous synopsis record shall equal 0.7 the minimum cost of living established for an employable person as of 1 January of the relevant calendar year.
- The minimum safe manning certificate shall be issued at the request of the vessel holder or its authorized representative. The application shall be supplemented with a calculation of the minimum safe manning composition that shall meet the rules established for the minimum safe manning for crews of vessels and the international treaties of Ukraine, and a copy of the fee payment document.
- The continuous synopsis record shall be issued at the written request of the vessel holder, which shall be supplemented with vessel questionnaire according to the standard form established under the rules for continuous synopsis record, as well as a copy of the fee payment document.
- Issuance of the minimum safe manning certificate and the continuous synopsis record shall be carried out within five business days from the date of the acceptance of the relevant application. At the request of the applicant, the issuance may be carried out within two business days upon the acceptance of the relevant application. In the event that the applicant wishes to receive the documents by mail, the documents shall be sent no later than the following business day upon their issuance. Any refusal of the official of the central authority of executive power implementing state policy in the area of maritime transport to accept the application for any reason not established under this article, including requiring any preconditions regarding the acceptance which are not established under this article on the application acceptance conditions, shall be prohibited.
- The following shall constitute reasons for refusal to issue the minimum safer manning certificate and the continuous synopsis record:
  - failure to submit the documents indicated in this article;
  - submission of documents containing inaccurate data;
  - incompliance of the documents submitted with requirements of the law.
- In the event of a refusal of issue the minimum safer manning certificate or the continuous synopsis record, the central authority of executive power implementing state policy in the areas of maritime transport shall within five business days from the date of the receipt of the application, or within two days – in the event that, at the applicant’s request, the issuance



was supposed to be carried out within two business days – from the date of the receipt of the relevant application, shall provide a respective notification to the applicant.

- In the event of a refusal to accept the application, the applicant shall be entitled to the following:
  - submit a corrected application;
  - to challenge the decision of the official of the central authority of executive power implementing state policy in the area of maritime transport according to the procedure established by the legislation.
- In the event of a refusal of issue the minimum safer manning certificate or the continuous synopsis record, the applicant shall be entitled to reimbursement of the registration fee paid to the state budget as a payment excessively charged, according to the procedure established by the legislation.
- Information on the minimum safer manning certificates and the continuous synopsis record shall be published on the official website for central authority of executive power implementing state policy in the areas of maritime transport.
- The permit to operate the vessel radio station shall be issued by the national commission responsible for state regulation in the area of communication and informational support according to the law”;

**t) in article 39:**

- in part one the words “with the exception of the vessel ownership title certificate and the vessel ticket which may be submitted in the format of a notarized copy” shall be replaced with “with the exception of the vessel ownership title certificate which may be submitted in the format of a notarized copy”;
- shall be supplemented with parts two and three reading as follows:  
“In instances provided under the legislation and/or international treaties of Ukraine, the vessel documents may be carried aboard in the electronic format.
- For uncrewed maritime vessels, it is permitted not to carry the vessel documents under the condition that there is a metal or plastic plate fixed on its board indicating the vessel identification number, name of the classification society, the number of the classification certificate and its validity term. The information indicated on the metal or plastic plate shall comply with the information contained in the classification certificate, and is certified by a stamp affixed to the plate by the classification society. In this event the vessel documents may be carried by the tow boat (if the uncrewed vessel is a part of a vessel convoy) or by the vessel owner»;

**u) in article 50, the** words “(the central authority of executive power ensuring development of state policy in the area of marine navigation of fishery industry vessel fleet”) shall be excluded;

**v) in article 54:**

- in part one, the words «by Ukrainian legislation, this Code, bylaws regulating service on maritime and fishing vessels» shall be replaced with the words «by the legislation and international treaties of Ukraine, this Code»;
- part 2 shall be excluded;

**w) article 57** shall read as follows:

- «According to the rules approved by the central authority of executive power ensuring development of state policy in the area of maritime and inland water transport international treaties of Ukraine, vessel holder shall ensure:
  - staffing the vessel with sufficient number of qualified crew, which shall be verified by vessel documents and crew member qualification documents;
  - availability and efficiently functioning vessel safe operation and pollution prevention management system on the vessel and its availability with the vessel holder;
  - safe vessel occupational life and safety conditions;

- medical support of crew members aboard and ashore, equipping vessel with all necessary means and equipment;
- food and water supply in adequate quantity and of proper quality;
- proper vessel compartments.
- The minimum norms ensured by owners of commercial vessels which are not involved in international voyages shall be no lower than those established by international treaties of Ukraine for such vessels involved in international voyages»;
- **x) part one of article 78 shall** be supplemented with points 12<sup>1</sup> and 12<sup>2</sup> reading as follows:
  - “12<sup>1</sup>) approval of decisions of the local state administrations on the establishment of small vessels stationing bases on maritime waterways, in sea port water areas;
  - 12<sup>2</sup>) approval of schedules for sport tournaments, other events involving sport crafts that involve sport craft navigation on maritime waterways, submitted for approval by the organizers of such tournaments”;
- **y) in part two of article 79** the words «by the central authority of executive power ensuring implementation of state policy in the area of maritime and river transport safety» shall be replaced with the words «by the central authority of executive power implementing state policy in the area of maritime transport»;
- **z) in article 90:**
  - the title shall read as follows:
  - “Article 90. Vessel Control in Sea Ports»;
  - in parts one and three, the words “by the central authority of executive power implementing state policy in the area of transport” shall be replaced with the words “the central authority of executive power implementing state policy in the area of maritime transport”, and the words “(by the central authority of executive power implementing state policy in the area of safety of navigation of fishery industry vessel fleet)” shall be excluded;
  - part four, the words “at the approval of the central authority of executive power ensuring development of state policy in the area of safety of navigation of fishery industry vessel fleet” shall be excluded;
  - shall be supplemented with part five that reads as follows:
  - “Peculiarities of inland navigation vessel inspections shall be established by the Law of Ukraine *On Inland Water Transport*”;
- **aa) in part two of article 110**, the words “by the Rules of Navigation in this Area” shall be replaced with the words “the rules of navigation in the area of heavy traffic”;
- **ab) in article 130:**
  - in part one, the words «by the central authority of executive power ensuring development of state policy in the area of transport» shall be replaced with the words «by the central authority of executive power ensuring development and implementing state policy in the area of maritime and inland water transport»;
  - in part two, the words «of the central authority of executive power ensuring development and implementing state policy in the area of transport» shall be replaced with the words «of the central authority of executive power ensuring development and implementing state policy in the area of maritime and inland water transport”, and the words “the central authority of executive power ensuring implementation of state policy in the area of maritime and inland water transport safety» shall be replaced with the words “of the central authority of executive power implementing state policy in the area of maritime transport”;
- **ac) in article 131**, the words «under the condition of obtaining the proper permit from the central authority of executive power ensuring development and implementing state policy in the area of transport» shall be replaced with the words “(with the exception of the vessels flying the flag of an aggressor state and vessels owned by the vessel owners or vessel holder or the participants (shareholders, members) or ultimate beneficiary owners of which are citizens of a state determined by Ukraine as an aggressor state or an occupant state, economic entities that are registered on the territory of a state determined by Ukraine as an

aggressor state or an occupant state, a state determined by Ukraine as an aggressor state or an occupant state, physical individuals and legal entities subject to special economic and other restrictive measures (sanctions) in accordance with the Law of Ukraine *On Sanctions*”); **ad) in article 175**, the words “or according to the rates established by the central authority of executive power ensuring development and implementing state policy in the area of transport” shall be excluded;

**ae) in part two of article 3, part two of article 21, in articles 50 and 67, part two of article 92**, article 93, part one of article 94, articles 101 and 102, article 106, parts one and two of article 110, parts one and two of article 111, article 112, part one of article 115, part four of article 167, part two of article 188, part five of article 190, articles 290, 310 and 322, the words “the central authority of executive power ensuring development state policy in the area of transport”, “the central authority of executive power ensuring development and implementing state policy in the areas of maritime and river transport” shall be replaced by the words “the central authority of executive power ensuring development and implementing state policy in the area of maritime and inland water transport” in all appropriate grammatical forms;

**af) in part one of article 75, article 77, part two of article 79**, the words “the central authority of executive power ensuring implementation of state policy in the area of maritime and river transport safety”, “the central authority of executive power ensuring implementation of state policy in the area of maritime and river transport” shall be replaced with the words “the central authority of executive power implementing state policy in the area of maritime transport” in all appropriate grammatical forms;

- in the Land Code of Ukraine (Official Journal of the Verkhovna Rada of Ukraine, 2002, No. 3-4, p. 27):
- **article 64 and 70 shall** read as follows:  
“Article 64. Waterway Shore Strips
- Within navigable waterways outside the boundaries of settlements, inland waterway shore strips shall be established for the purpose of performing activities related to navigation.
- The use of the inland waterway coastal strips for the purpose of providing navigation and hydrographic support of navigation on inland waterways shall be free of charge.
- The size [=width] of the waterway shore line shall be determined as 20 meters wide from the edge of the water further into the shore considering the long-term average water level within the boundaries of the river sections and the normal support water level for any artificially-created waterways. For shores that have slopes of more than 45 degrees, the waterway shore line shall be determined from the edge of the shore further into the shore.
- The procedure of waterway shore strips establishment and use shall be approved by the Cabinet of Ministers of Ukraine.
- The right to use the inland waterway shore strip does not apply to special protected natural territories, the land plots of location of any hydraulic engineering facilities and irrigation structures»;
- **“Article 70. Inland Water Transport Lands**
- Territories of river ports (terminals) as well as lands under the following belong to the inland water transport lands:
  - lands under berthing facilities, operational water areas of the berthing facilities and ponds with all technical facilities and equipment that service inland water transport;
  - lands under passenger stations, pavilions, and berths;
  - lands under navigable fairways, navigable channels, navigable and protection hydraulic engineering facilities on inland waterways;
  - lands under hydraulic reinforcement structures and plantations;
  - lands under communication units, radio centers, and radio stations;
  - lands under the buildings, shore navigational signs, and other structures designed for servicing of inland waterways, under vessel repair and shipbuilding works, repair and

operation bases, workshops, shipyards, stationing and repair points, warehouses, material and technical supply bases, engineering networks, service and cultural and on-site buildings, other objects intended to ensure operation of inland water transport”;

- in the Code text, the words “river transport” shall be replaced with “inland water transport” in all appropriate grammatical forms;
- in the Commercial Code of Ukraine (Journal of the Verkhovna Rada of Ukraine, 2003, No. 18-22, p. 144):
  - in article 306:
    - in part three, the words “inland fleet” shall be replaced with “inland water transport”;
    - in part five, the words “transport codes” shall be replaced with “codes, laws”;
  - in article 307:
    - in part four, the words “on river transport (inland fleet)” shall be replaced with “on inland water transport”;
    - in part five, the words “transport codes” shall be replaced with “codes, laws”;
- article 62 of the Forest Code of Ukraine (Journal of the Verkhovna Rada of Ukraine, 2006, No. 21, p. 170) after part two shall be supplemented with a new part that read as follows:
  - “For the purpose of ensuring safety of navigation, the use of the land plots on the shore line of inland water ways shall be conducted in compliance with the Law of Ukraine *On Inland Water Transport*.”
  - Therefore, part three shall be considered as part four;
- in the Law of Ukraine *On the Fundamentals of Social Security of the Disabled in Ukraine* (Journal of the Verkhovna Rada of USSR, 1991, No. 21, p. 252, with further amendments):
  - a) in part four of article 28, the word «river» shall be replaced with «inland water»;
- in article 38<sup>1</sup>:
  - in part three, the word “river” shall be replaced with “maritime, inland water”;
  - in part six, the word “river” shall be replaced with “maritime, inland water”;
- in part one of article 20<sup>2</sup> of the Law of Ukraine On Environmental Protection (Journal of the Verkhovna Rada of Ukraine, 1991, No. 41, p. 546; 2013, No. 46, art. 640; 2017, No. 29, p. 315; 2018, No. 41, p. 320; 2020, No. 22, p. 150):
  - paragraph sixteen of point “a” shall be excluded;
  - paragraph “b” after the words “transportation means [= vehicles]” shall be supplemented with “(with the exception of vessel environmental control)”;
- in the Law of Ukraine *On the State Border of Ukraine* (Journal of the Verkhovna Rada of Ukraine, 1992, No. 2, p. 5; 1996, No. 37, p. 167; 2003, No. 27, p. 209; 2009, No. 38, p. 535):
  - **a) article 14 shall read as follows:**
    - “Article 14. The Procedure for Foreign Non-Military Vessels and Navy Ships Entry into Inland Waterways of Ukraine
    - Foreign non-military vessels may enter inland waterways and ports of Ukraine with regard to the restrictions established by law. The procedure for foreign non-military vessel entry into inland waterways and ports of Ukraine and their stay therein, performance of cargo and passenger operations, vessel communication with the shore, landing by vessel crew members, vessel boarding by persons who are not members of the vessel crews, as well as other rules pertaining to foreign non-military vessels entering inland waterways and ports of Ukraine, sections of border rivers, lakes, and other bodies of water that belong to Ukraine, as well as their stay within these waters shall be established by international treaties and legislation of Ukraine.
    - In the event of their entry into inland waterways and ports of Ukraine, foreign submarines and other submerged vehicles shall move on water surface flying their respective flag.
    - Foreign navy ships shall enter inland waterways and ports of Ukraine in accordance with international treaties and legislation of Ukraine”;

**b) in article 23:**

- in parts one and two, the words “at quays, berths, and stationing bases” shall be replaced with “at quays, berths, bases for small vessels and sport crafts, and at stationing bases”;
- in parts three, the words “quays, berths, and stationing bases” shall be replaced with the words “quays, berths, bases for stationing of small vessels and sport crafts, and at stationing bases”;
- in the Law of Ukraine *On Transport* (Journal of the Verkhovna Rada of Ukraine, 1994, No. 51, p. 446 with further amendments):
  - **a) article 16<sup>3</sup> shall read as follows:**
  - “Article 16<sup>3</sup>. Authorities of the Central Authority of Executive Power Implementing State Policy in the Area of Maritime Transport and the Central Authority of Executive Power Implementing State Policy in the Area of Inland Water Transport
  - The central authority of executive power implementing state policy in the area of maritime transport:
    - submits proposals related to the Strategy of ensuring fulfillment of the flag state, port state and coastal state obligations under international treaties on merchant shipping, arranges fulfillment of functions resulting from the abovementioned treaty obligations;
    - ensures fulfillment of obligations related to Ukraine’s membership in international organizations in the area of maritime and inland water transport, merchant shipping, navigation on inland waterways;
    - ensures observance and fulfillment of obligations undertaken under international treaties of Ukraine in the area of maritime transport, merchant shipping;
    - within the scope of its authority, regulates merchant shipping;
    - within the scope of its authority established by the legislation, ensures implementation of state policy on reduction of the level of environmental pollution caused by maritime transport;
    - takes part in investigations and carries out analysis of emergencies involving vessels navigating at sea on maritime transport, ensures registration of these incidents, develops preventive measures and controls the application of these measures;
    - performs state oversight of compliance with legislative requirements and international treaties of Ukraine in the area of maritime transport, merchant shipping in sea ports and terminals, territorial sea, inland maritime waters, on Ukrainian vessels and at shipping companies who are the vessel holders;
    - performs state monitoring of compliance with legislative requirements and international treaties of Ukraine on safety of navigation and prevention of environmental pollution (flag state control) on board of Ukrainian vessels and at shipping companies regardless of their ownership type;
    - performs state oversight over compliance of foreign vessels regardless of their flag entering sea ports of Ukraine with the requirements of safety of navigation and prevention of environmental pollution from vessels established under international treaties of Ukraine (port state control);
    - executes agreements with recognized organizations authorized to issue vessel documents for Ukrainian vessels, shipping companies – vessel holders of such vessels, provide services to such vessels and shipping companies on behalf of the flag state according to international treaties of Ukraine and with regard to the legislation of the European Union, control these organizations’ compliance with mandatory requirements under the abovementioned agreements;
    - carries out control (monitoring) of technical oversight performed by classification societies (recognized organizations) of compliance with requirements established by the legislation of Ukraine and international treaties of Ukraine in the area of merchant marine navigation, of issuance of relevant vessel documents and provision of services to vessel holders and vessels;
    - grants permission to recognized organizations regarding exemption of Ukrainian vessels from fulfillment of certain obligations under international treaties of Ukraine in instances

prescribed by these treaties and regarding issuance of relevant vessel documents, notifying the International Maritime Organization according to established procedure;

- carries out vessel inspections regardless of the flag to verify vessel documents and crew member qualification documents, compliance with requirements established by the legislation and international treaties of Ukraine;
- performs state oversight of maritime transport in terms of organization of safe cargo transportation, including for dangerous goods, passengers and baggage, safety of navigation management systems;
- performs state oversight of compliance with requirements regarding prevention of environmental pollution from vessels, rules of registration of operations with dangerous goods on vessels, in sea and river ports and terminals;
- communicates the established security level of the vessels, sea ports, and port facilities;
- carries out sea port and port facility security system checks for their compliance with international requirements;
- carries out oversight of the execution of search and rescue operations, localization plans and emergency (disaster) response operations in sea ports;
- manages the functional subsystem of emergency threat or occurrence prevention and first response on maritime and river transport, in sea port water areas; organization of search and rescue works in the Black Sea and the Sea of Azov water areas;
- performs state oversight over vessel traffic regulation and vessel pilotage;
- organizes and controls fulfilment of navigation hydrographical support within the territorial sea, inland sea waters;
- organizes and controls fulfilment of search and rescue operations for people in distress at sea within the maritime search and rescue area of Ukraine;
- organizes and controls functioning of the radio navigation system and the observation of the marine mobile surveillance service including Global Maritime Distress and Safety System (GMDSS) and Ukrainian Vessel Long Range Identification and Tracking System;
- organizes and controls basic and advanced training, retraining, postgraduate training and certification for maritime vessel crew members, including their compliance with international treaties of Ukraine, for employees of land-based enterprises of maritime transport functioning in the area of ensuring safety of navigation, prevention of environmental pollution from vessels and performance of relevant state oversight in these areas;
- according to the legislation, registers vessels and terminates registration of vessels in the State Vessel Register of Ukraine, issues certificates of the right to navigate under State Flag of Ukraine (vessel patent), certificates of the temporary right to navigate under State Flag of Ukraine, certificates of vessel exclusion from the State Vessel Register of Ukraine, certificates of temporary vessel exclusion from the State Vessel Register of Ukraine;
- registers international navigation lines and publishes relevant data on its official website;
- publishes on its official website data on vessels registered in the State Vessel Register of Ukraine;
- according to the legislation, issues certificates of minimum safe manning, continuous synopsis records;
- according to the legislation, issues seafarer identification documents, qualification documents of maritime vessel crew members, maritime pilots, operator pilots of vessel traffic regulation services;
- exercises other powers under applicable legislation and delegated by the Cabinet of Ministers of Ukraine.
- The central authority of executive power implementing state policy in the area of inland water transport:

- ensures fulfillment of international obligations under Ukraine's membership in international organizations the activity of which pertains to inland water transport, navigation on inland waterways;
- ensures observance and fulfillment of obligations under international treaties of Ukraine in the area of inland water transport, navigation on inland waterways;
- within the scope of its authority, regulates navigation on inland waterways;
- within the scope of its authority established by law, ensures implementation of state policy on reduction of the level of environmental pollution caused by inland water transport;
- takes part in investigations and carries out analysis of emergency events involving vessels on inland waterways and on inland water transport, ensures registration of these events, develops measures to prevent emergencies and controls the fulfillment of these measures;
- performs state oversight of compliance with requirements of legislation and international treaties of Ukraine in the area of inland water transport, merchant shipping on inland waterways, operations in river ports and terminals, on Ukrainian inland navigation vessels and at shipping companies that are vessel holders;
- performs state monitoring of compliance with requirements of legislation and international treaties of Ukraine on safety of navigation and prevention of environmental pollution (flag state control) on Ukrainian inland navigation vessels and at shipping companies regardless of their ownership type;
- performs state oversight over compliance of vessels, regardless of their flag, on inland waterways with the requirements of safety of navigation and prevention of environmental pollution from vessels established under the legislation and international treaties of Ukraine;
- executes agreements with recognized classification societies authorized to issue vessel documents for Ukrainian inland navigation vessels, provide services to such vessels and shipping companies on behalf of the flag state according to international treaties of Ukraine and with regard to the legislation of the European Union, controls these organizations' compliance with mandatory requirements under the abovementioned agreements;
- carries out monitoring of technical oversight performed by recognized classification societies of compliance with requirements under international treaties of Ukraine and the legislation of the European Union on board Ukrainian inland navigation vessels, issuance of relevant vessel documents and provision of services to vessel holders and vessels;
- carries out inland navigation vessel inspections regardless of the flag, verification of vessel documents and crew member qualification documents, compliance with requirements established by the legislation and international treaties of Ukraine;
- performs state oversight of inland water transport in terms of organization of safe cargo transportation, including dangerous goods, passengers and baggage, organization of safety of navigation management systems;
- performs state oversight of compliance with requirements regarding prevention of environmental pollution from inland navigation vessels, rules of registration of operations with dangerous goods on vessels, in river ports (terminals);
- communicates the established security level to Ukrainian vessels, river ports (terminals) and port facilities;
- carries out river port (terminal) and port facility security system checks for their compliance with international requirements;
- performs state oversight over vessel traffic regulation and vessel pilotage on inland waterways;
- organizes and controls navigation hydrographical support within inland waterways of Ukraine;
- organizes and controls professional basic and advanced training, retraining, postgraduate training and certification for inland navigation vessel crew members, including their compliance with international treaties of Ukraine, for employees of land-based enterprises

- of inland water transport functioning in the area of navigation safety, prevention of environmental pollution from vessels and performance of state monitoring in these areas;
- in compliance with the legislation, registers vessels and terminates vessel registration in the Vessel Book of Ukraine, issues vessel tickets, certificates of vessel removal from the Vessel Book of Ukraine, certificates of temporary vessel removal from the Vessel Book of Ukraine;
  - publishes on its official website data on the vessels registered in the Vessel Book of Ukraine and data on the certificate register for inland navigation vessels;
  - according to the legislation, issues seafarer qualification documents for river vessel crew members, river pilots, operator pilots of vessel traffic regulation services;
  - approves local rules of navigation for small vessels, sport crafts and water motorcycles, rules of use of water recreational crafts and placement of floating structures;
  - exercises other powers established by the legislation and delegated by the Cabinet of Ministers of Ukraine”;
- b) article 26 shall be excluded;
- article 27 shall read as follows;
  - “Article 27. Inland Water Transport and its Composition
  - Inland water transport comprises of vessels, enterprises, institutions and organizations carrying out and ensuring transportation, mostly by inland waterways, of cargo, passengers, baggage and mail, provide other services with use of inland navigation vessels, ensure hydrographical navigation support»;
  - the title and part one of article 28 shall read as follows:
  - “Article 28. Inland Water Transport Lands
  - Territories of river ports (terminals) as well as lands under the following belong to the inland water transport lands:
    - lands under berthing facilities, operational water areas of the berthing facilities and ponds with all technical facilities and equipment that service inland water transport;
    - lands under passenger stations, pavilions, and berths;
    - lands under navigable fairways, navigable channels, navigable and protection hydraulic engineering facilities;
    - lands under hydraulic reinforcement structures and plantations;
    - lands under communication units, radio centers, and radio stations;
    - lands under the buildings, shore navigational signs, and other structures designed for servicing of inland waterways, under vessel repair and shipbuilding works, repair and operation bases, workshops, shipyards, stationing and repair points, warehouses, material and technical supply bases, engineering networks, service and cultural and on-site buildings, other objects intended to ensure operation of inland water transport”;
  - article 29 shall be excluded;
  - in the text of the Law:
    - the words «river transport» in all grammatical forms shall be replaced with the words «inland water transport» in all grammatical forms;
    - the words «the central authority of executive power ensuring implementation of state policy in the area of maritime and river transport safety» in all grammatical forms shall be replaced with «the central authority of executive power implementing state policy in the area of maritime and inland water transport» in all grammatical forms”;
  - article 20 of the Law of Ukraine *On Local State Administrations* (Journal of the Verkhovna Rada of Ukraine, 1999, No. 20-21, p. 190 with further amendments) shall be supplemented with paragraphs 11-14 that shall read as follows:
    - “11) set tariffs for socially significant regular passenger transportation by vessels, at the same time indicating the sources for the carrier’s compensation of the difference in the event of establishment of the tariff rates that are lower than the economically grounded cost of shipping;



- develop and, upon consent of the central authority of executive power implementing state policy in the area of maritime inland water transport, approve local rules of navigation for small vessels, sport crafts and water motorcycles, use of water recreational crafts, placement of floating structures;
- grant permission for organization of sport and other water recreational events;
- according to the procedure approved by the central authority of executive power ensuring development and implementing state policy in the area of maritime and inland water transport:
- establish anchoring bases for small vessels and anchoring bases for sport crafts, carry out their inspection, publish information on the bases on its official website;
- control compliance with the rules of safe operation of small vessel stationing bases and sport craft stationing bases;
- ensure organization of verification of vessel documents and International Certificates Certifying the Right to Navigate Pleasure Crafts, as well as small vessel or water motorcycle boatmaster certificates issued prior to the enactment of the Law of Ukraine *On Inland Water Transport*;
- in the preamble, parts five and six of article 6 of the Law of Ukraine On Cargo Transit (Journal of the Verkhovna Rada of Ukraine, 1999, No. 51, p. 446 with further amendments) the word “river” shall be replaced with the words “inland water”;
- in the Law of Ukraine *On Transportation of Dangerous Goods* (Journal of the Verkhovna Rada of Ukraine, 2000, No. 28, p. 222 with further amendments):
- in preamble the word “river” shall be replaced with the words “inland water”;
- in the title and in part two of article 14, the words “the central authority of executive power ensuring implementation of maritime and river transport safety” shall be replaced with the words “the central authority of executive power implementing state policy in the area of maritime and inland water transport”;
- in the Law of Ukraine *On Natural Monopolies* (Journal of the Verkhovna Rada of Ukraine, 2000, No. 30, p. 238 with further amendments):
- in paragraph fourteen of part one of article 5, the words “in river, sea ports” shall be replaced with the words «on inland water transport, in sea ports”;
- in paragraph four of article 6, the words “river” shall be replaced with the words “inland water”;
- in part one of article 7 of the Law of Ukraine *On Insurance* (Journal of the Verkhovna Rada of Ukraine, 2002, No. 7, p. 50):
- in point ten, the words “water transport” shall be replaced with the words “maritime and inland water transport”;
- point 32 shall be supplemented with the words “and inland navigation vessel holder”;
- in subpoints 14.2.1 and 14.2.2 of point 14.2 of article 14 of the Law of Ukraine On State Support of Ukrainian Agricultural Sector (Journal of the Verkhovna Rada of Ukraine, 2004, No. 49, p. 527), the word “river” shall be replaced with the words “inland water”;
- in paragraph seven of article 1 of the Law of Ukraine On Transport and Forwarding Activity (Journal of the Verkhovna Rada of Ukraine, 2004, No. 52, p. 562), the words “river” shall be replaced with the words “inland water”;
- in point 3 of part one of article 30 of the Law of Ukraine *On General Military Duty and Military Service* (Journal of the Verkhovna Rada of Ukraine, 2006, No. 38, p. 324), the words “maritime and river transport floating staff” shall be replaced with the words “crew members of maritime and inland water transport”;
- part two of article 2 of the Law of Ukraine *On the Main Principles of State Supervision (Oversight) in the Area of Commercial Activity* (Journal of the Verkhovna Rada of Ukraine, 2007, No. 29, p. 389 with further amendments) shall be supplemented with the words “state supervision (oversight) in the area of merchant marine navigation and inland navigation safety (in the part of oversight (control) over vessels)”;

- in the Law of Ukraine *On Urban Development and Planning* (Journal of the Verkhovna Rada of Ukraine, 2011, No. 34, p. 343 with further amendments):
- point 5 of part one of article 2 after the words “industrial” shall be supplemented with the word “transport”;
- point 1 of part four of article 31, after the words “nuclear and radiation safety” shall be supplemented with the words “transportation of dangerous goods”;
- in the List of Commercial Activity Consent Documents, approved by the Law of Ukraine *On the List of Commercial Activity Consent Documents* (Journal of the Verkhovna Rada of Ukraine, 2011, No. 47, p. 532 with further amendments):
- paragraph 16 after the words “dredging works” shall be supplemented with the words “(with the exception of operational dredging)”;
- shall be supplemented with paragraph 156 that shall read as follows:
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• 156.	• excerpt from the Register of Inland Waterway Infrastructure Objects	• The Law of Ukraine <i>On Inland Water Transport</i>
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- in the Law of Ukraine *On Fishing Industry, Commercial Fishing and Biodiversity Protection* (Journal of the Verkhovna Rada of Ukraine, 2012, No. 17, p. 155; 2013, No. 43, p. 616; 2014, No. 6-7, p. 80; 2016, No. 4, p. 40; 2018, No. 41, p. 320):
- in paragraph thirty-one of article 1, the words “as well as ensuring safety of shipping for fishery industry fleet vessels” shall be excluded;
- paragraphs four, five, nine, ten, thirteen, fourteen, fifteen, seventeen, twenty, twenty-one of article 8 shall be excluded;
- in article 9:
- paragraphs 10 - 13, 15, 17, 18, 19, 22-25 shall be excluded;
- paragraph 34 shall read as follows:
- “the approval of the dredging works permit issuance (with the exception of operational dredging), laying of cables, pipelines, and other communication on the water reserve lands”;
- in paragraph 41, the words “safety of navigation at sea” shall be excluded;
- paragraph 46 shall be excluded;
- paragraph 23 of part one of article 10 shall read as follows:
- “to approve the dredging works permit issuance (with the exception of operational dredging), laying of cables, pipelines, and other communication on the water reserve lands”;
- in article 46:
- in part two, the words “and stationing bases for fishery industry fleet vessels for unloading of water bioresources (a structurally independent part of the fishery managing enterprise)” shall be excluded;
- after part two, shall be supplemented with a new part reading as follows:
- “Stationing bases for fishery industry fleet vessels shall be established by the local state administration according to the procedure approved by the central authority of executive power ensuring development and implementing state policy in the area of maritime and inland water transport; the local state administration shall publish information on the established bases on their official websites. For the bases located on inland waterways such decision shall be made upon the consent of the central authority of executive power implementing state policy in the area of inland water transport; for the bases located on maritime waterways – upon consent of a sea port harbor master responsible for state oversight of safety of maritime navigation within the relevant maritime waterway. The decision on the stationing of the fishery industry fleet vessels shall be made with the consent of the central authority of executive power implementing state policy in the area of fishery industry. Entry, departure and stationing of small vessels, sport crafts and water motorcycles

within the sea port water area shall be conducted according to the Merchant Marine Code of Ukraine and the Law of Ukraine *On Sea Ports of Ukraine*.

- Therefore, parts 3 - 6 shall become parts 4 - 7, respectively;
- articles 48 - 50 shall read as follows:
- “Article 48. Fishery Industry Fleet Vessel Classification and Technical Oversight
- Fishery industry fleet vessel classification and technical oversight shall be carried out according to the procedure established under the Merchant Shipping Code of Ukraine and the Law of Ukraine *On Inland Water Transport*.
- Article 49. Permitting to Navigate Fishery Industry Fleet Vessels
- Navigation of fishery industry fleet vessels shall be permitted depending on the navigation region and the height of the minimum above-water draught, namely:
- Navigation region 1 vessels - vessels with the minimum above-water draught height no less than 0.2 meters, operated at fishery industry water objects (or their parts) closed for navigation - lakes, ponds, cooling ponds of energy facilities with the total area of up to 200 hectares;
- Navigation region 2 vessels - vessels with the minimum above-water draught height no less than 0.3 meters, operated at fishery industry water objects (or their parts) closed for navigation - lakes, ponds, cooling ponds of energy facilities with the total area of over 200 hectares and on sections of navigable rivers;
- Navigation region 3 vessels - vessels with the minimum above-water draught height no less than 0.4 meters, operated at fishery industry water objects (or their parts) open for navigation - rivers, shallow section of water reservoirs;
- Navigation region 4 vessels - vessels with the minimum above-water draught height no less than 0.5 meters, operated at fishery industry water objects (or their parts) open for navigation - rivers, open parts of water reservoirs, coastal areas of the Sea of Azov and the Black Sea (20 miles from the coast).
- Article 50. Fishery Industry Fleet Vessel Registration Procedure
- Fishery industry fleet vessel registration shall be carried out according to the procedure established under the Merchant Shipping Code of Ukraine and the Law of Ukraine *On Inland Water Transport*.
- in the Law of Ukraine *On Sea Ports of Ukraine* (Journal of the Verkhovna Rada of Ukraine, 2013, No. 7, p. 65 with further amendments):
- article 2 shall be supplemented with part four as follows:
- “4. Inland navigation vessels (river vessels and mixed navigation vessels) shall be subject to application of provisions under this Law with regard to provisions of the Law of Ukraine *On Inland Water Transport*”;
- point 7 of part two of article 17 shall be supplemented with the words “the procedure of reception from vessels of oil, oil-containing water, vessel waste water, garbage, operational and cargo waste”;
- in part one of article 19:
- paragraph one after the words “vessel maintenance” shall be supplemented with the words “including the procedure of reception from vessels of oil, oil-containing water, vessel waste water, garbage, operational and cargo waste”;
- shall be supplemented with paragraph two reading as follows:
- “Vessels with the maximum draught exceeding 4.5 meters, as verified by their vessel documents, shall be services in sea ports and terminals, unless otherwise provided under the Law of Ukraine *On Inland Water Transport*”;
- in article 22:
- first sentence of part one shall be supplemented with the following words: “with regard to the specifications of the payment procedure established according to the Law of Ukraine *On Inland Water Transport*”;

- the paragraph one of part two, after the words “administrative dues” shall be supplemented with the words “with regard to the peculiarities of the use established by the Merchant Shipping Code of Ukraine”;
- part three shall be supplemented with paragraph two reading as follows:
- “The sanitary dues shall not be charged in sea ports that do not have the technical means for the reception of all types of waste (with the exception of the ballast water) from vessels, and it shall also not be charge from selected categories of vessels in compliance with the Procedure for Charging, Accounting, and Use of the Port Dues Money. In the event that no sanitary dues are charged to a vessel, the vessel shall pay for the waste reception services actually provided to it”;
- in the text of Law, the words “river transport” and “the central authority of executive power ensuring implementation of state policy in the area of maritime and river transport safety” in all grammatical forms shall be replaced with the words “inland water transport” and “the central authority of executive power implementing state policy in the area maritime transport safety” in all grammatical forms;
- in the Law of Ukraine *On the Single State Demographic Register and the Documents that Confirm the Citizenship of Ukraine, Identify a Person or its Special Status* (Journal of the Verkhovna Rada of Ukraine, 2013, No. 51, p. 716; 2016, No. 34, p. 593):
- point 5 of part one of article 2 shall read as follows:
- “5) the central authority of executive power implementing sate policy in the area of maritime and inland water transport, the state enterprise subordinate to the central authority of executive power implementing sate policy in the area of maritime and inland water transport whose main tasks include organizational and technical support of service provision in the area of maritime and inland water transport”;
- in paragraph one of part six of article 16, the words «by the sea port harbor master» shall be replaced with the words «by the central authority of executive power implementing state policy in the area of maritime and inland water transport»;
- in article 25:
- part five shall read as follows:  
“5. Documentation, issuance, replacement of the seafarer identification document shall be carried out by the central authority of executive power implementing state policy in the area of maritime and inland water transport”;
- in part eight:
- paragraph one shall read as follows:  
“8. The central authority of executive power implementing state policy in the area of maritime and inland water transport shall be entitled to refuse to issue the seafarer identification documents for the applicant in the event of the following”;  
in paragraph six, the words “sea port harbor master” shall be replaced with the words “the central authority of executive power implementing state policy in the areas of maritime and inland water transport”;
- parts 10 and 11 shall read as follows:  
“10. In the event of the seafarer identification document loss of theft on the territory of Ukraine, the person shall immediately notify the harbor master of the sea port where he/she works and/or the manager of the enterprise, institution, organization that has a labor agreement with the person, as well as the central authority of executive power implementing state policy in the area of maritime and inland water transport; in the event of theft - also notify the internal affairs authority. In the event of the seafarer identification document loss of theft abroad the person shall immediately notify competent authorities of the foreign sate and the diplomatic institution of Ukraine abroad at his/her location, which shall within 24 hours notify the central authority of executive power implementing state policy in the area of maritime and river transport and the central authority of execute power that ensures

implementation of state policy in the area of defense of the state border of Ukraine indicating the information contained in the document.

- The decision on issuance of a seafarer identification document to replace the lost or stolen one which was carried out through the use of the means of the Register shall be accepted by the central authority of executive power implementing state policy in the area of maritime and inland water transport.
- The central authority of executive power implementing state policy in the area of maritime and inland water transport generates and issues a new seafarer identification document to replace the lost or stolen one upon establishment of the fact that the person notifying of its loss or theft indeed obtained it previously.
- In the event that the person who notified of the loss or theft of a seafarer identification document should find it, he/she shall turn in the document found to the central authority of executive power implementing state policy in the area of maritime and inland water transport for its further destruction, and in the event of the document loss or theft abroad - to the nearest diplomatic institution of Ukraine abroad.
- In the event of expiry of a seafarer identification document or death of the person, the document shall be turned in to the central authority of executive power implementing state policy in the area of maritime and inland water transport within the time and according to the procedure established by the legislation; and in the event that the person was residing abroad - to the diplomatic institution abroad”;
- point 13 of part twelve shall read as follows:  
“13) the authorized issuing authority and the digitized signature of the official”;
- in point 24 of part one of article 7 of the Law of Ukraine *On Licensing of Types of Commercial Activity* (Journal of the Verkhovna Rada of Ukraine, 2015, No. 23, p. 158) the word “river” shall be replaced with the words “inland water”;
- paragraph 37 of part two of article 4 of the Law of Ukraine *On State and Communal Property Rent* (Journal of the Verkhovna Rada of Ukraine, 2018, No. 12, p. 68; 2019, No. 46, p. 302; 2020, No. 28, p. 188) shall read as follows:
- “seaport water areas, hydraulic engineering structures (with the exception of river berthing facilities), objects of public port infrastructure, navigational equipment and other objects of navigation and hydrographic support of maritime and inland waterways, vessel traffic control systems, river information service facilities, information systems, training and hydrographic fleet, property owned by agencies of state supervision and control of merchant shipping and navigation on inland waterways”.
- Temporarily, until the time the national commission responsible for state regulation in the area of transport begins fulfilling its functions and authorities under this Law, its functions and authorities shall be temporarily exercised by the central authority of executive power ensuring development of state policy in the area of inland water transport.
- All documents on the basis of which objects of inland water transport infrastructure are being constructed, issued prior to enactment of this Law, shall remain valid through the time of completion of their construction.
- All previously issued vessel documents, qualification certificates of maritime and inland navigation vessel captains, boatmasters and crew members, small-size (small) vessels, pleasure crafts and other vessels, including water motorcycles shall remain valid until their validity term.
- The enterprise (entity) determined by the central authority of executive power that ensures development of state policy in the area of inland water transport which has the maintenance of inland waterways among its main tasks shall receive the property of state transport enterprises which as of the day of enactment of this Law is listed as strategic objects of inland water transport infrastructure, and other property of state-owned objects of inland water transport infrastructure.

- Prior to the beginning of funding of works pertaining to construction, reconstruction, repair, and maintenance of strategic objects of inland water transport infrastructure at the expense of the State Inland Waterway Fund in compliance with this Law, the funding of these works shall be carried out at the expense of the sources that were used prior to enactment of this Law.
- The bearers of small vessel or water motorcycle boatmaster certificates who obtained such certificates prior to enactment of this Law shall be entitled to issuance of the International Certificates Certifying the Right to Navigate Pleasure Crafts for the navigation of similar vessels with no additional qualification assessment.
- Introduction of amendments with the issuance of relevant new vessel documents for owners of vessels registered in the State Vessel Register of Ukraine and the Vessel Book of Ukraine shall be carried out within three years with no additional charge.
- The national commission that implements state regulation in the area of transport, as of the day of enactment of this Law, shall provide for inland navigation vessels with a maximum draught of no more than 4.5 meters, as verified by the vessel documents, in the course of coastal voyage with a point of departure or point of destination at the sea ports of Kherson, Olvia, or Mykolaiv, to establish port dues rates at a level according to the provisions in article 9 of this Law.
- For the Cabinet of Ministers of Ukraine - within one year upon publication of this Law:
  - ensure compliance of its normative legal acts with this Law;
  - ensure adoption of relevant normative legal acts targeted at implementation of this Law;
  - ensure that ministries and other central authorities of executive power bring their normative legal acts into compliance with this Law;
  - take inventory of property owned by state transport enterprises and compile the list of strategic objects of inland water transport infrastructure;
  - ensure organization of data acquisition on private hydraulic engineering constructions and water reserve lands allocated for construction of inland water transport infrastructure objects.
  - For the Cabinet of Ministers of Ukraine, one year after the enactment of this Law, to annually include information on its fulfillment into the progress report for the Action Plan of the Cabinet of Ministers of Ukraine.