

REGULATION OF THE MINISTER OF ECONOMIC AFFAIRS AND COMMUNICATIONS

No. 265 of 23 December 2003

Entry into force 10 January 2004

*Entry into force of this wording 15 December 2013*

**PROCEDURE FOR ICEBREAKING**

*This Regulation has been established on the basis of § 50 (1) of the Maritime Safety Act of the Republic of Estonia.*

**§ 1. Scope**

- (1) The Regulation provides for the procedure for icebreaking and communication between port authorities, masters, ship agents and the Maritime Administration during the organisation of icebreaking.
- (2) The purpose of the Regulation is, in the event waterways become ice covered, to ensure that vessel traffic bound to and from the ports referred to in § 3 (1) of this Regulation is organised in a way that is as safe and effective as possible during the icebreaking period.

**§ 2. Period of icebreaking activities**

The beginning and the end of the icebreaking period are established according to ice conditions by Director General of the Maritime Administration.

**§ 3. Ports serviced by icebreakers**

- (1) Ports that are serviced with icebreakers by the state are Muuga Harbour, the harbours in the bays of Tallinn and Kopli, Paldiski North Harbour, Paldiski South Harbour, and the ports of Kunda and Sillamäe. The service area for these ports extends up to the port water area. The port of Pärnu is serviced from the open sea up to the point with coordinates 58°21',4 N and 24°27',0 E.
- (2) The port authority may, in concordance with the Maritime Administration, perform icebreaking independently using the port's technical and financial resources.
- (3) When organising icebreaking, the port authority shall be guided by the requirements established in legislation to ensure safe vessel traffic, and inform the Maritime Administration of the process of icebreaking.

**§ 4. Organisation of icebreaking activities**

- (1) Icebreaking activities shall be organised by the Maritime Administration.
- (2) Director General of the Maritime Administration may by his directive convene the Icebreaking Advisory Board as an advisory body.
- (3) The directives of Director General of the Maritime Administration concerning the organisation of icebreaking activities shall be published in *Notices to Mariners*, via NAVTEX and on the website of the Maritime Administration.

**§ 5. Ordering icebreaker service**

- (1) In order to request for icebreaker services through the ship's agent or, in the absence of an agent, through the shipowner, the master of a ship in need of icebreaker assistance shall

submit the following information to the Maritime Administration at least 12 hours prior to the planned departure from a port or 24 hours prior to the arrival at a defined assembly point:

- 1) date of submitting the order;
  - 2) name of the ship;
  - 3) call sign;
  - 4) flag state;
  - 5) length overall (m);
  - 6) breadth of ship (m);
  - 7) maximum draught and draught when navigating in ship convoy (m);
  - 8) depth moulded (m);
  - 9) gross tonnage (GT);
  - 10) main propulsion power (kW) and the number of main engines;
  - 11) speed in ordinary conditions (ice conditions excluded) (knots);
  - 12) displacement when navigating in convoy;
  - 13) classification society;
  - 14) ice class;
  - 15) dangerous cargo (loaded / in ballast);
  - 16) port of departure;
  - 17) port of destination;
  - 18) date of arrival at assembly point or departure from port;
  - 19) time of arrival at assembly point or departure from port;
  - 20) name of ship's agent or shipowner;
  - 21) contact information on ship's agent or shipowner.
- (2) The masters of passenger ships performing regular service in ports serviced by an icebreaker shall submit the order through the ship's agent or, in the absence of an agent, through the shipowner to the Maritime Administration at least 12 hours prior to the need for icebreaking service.
- (3) The ship's agent or, in the absence of an agent, the shipowner shall confirm or specify the request for icebreaker assistance at least 4 hours prior to the time of arrival specified in the order, confirming also the preparedness of tugs and pilots if necessary.
- (3<sup>1</sup>) The information specified in subsections (1) to (3) of this section shall be forwarded through the Electronic Maritime Information System.
- (4) In the event the ship is not ready to go to sea by the specified date or a necessary tug or pilot is absent, the Maritime Administration may cancel the order. A new order shall be placed in accordance with the requirements set forth in this section.
- (5) The Maritime Administration shall communicate the orders to the master of the icebreaker, supervise their fulfilment and receive reports from the icebreaker.
- (6) In the event the term of icebreaking assistance is delayed, the Maritime Administration shall inform the ship's agent or, in the absence of an agent, the shipowner at least 3 hours prior to the term specified in the order about the reasons for delay and a new term if possible.
- (7) The following order of priority shall be applied to service ships with icebreakers:
- 1) liners;
  - 2) other ships on the basis of the time of arrival or departure specified in the order and a written confirmation by the harbour master of the port of destination that is serviced by icebreakers.

## **§ 6. Formation of ship convoy and navigation in convoy**

- (1) A ship convoy (hereinafter *convoy*) shall be formed at a specified assembly point on the edge of ice or in the anchorage area of a port on the basis of received orders. If necessary, the master of the icebreaker may require the master of a ship to provide additional information on ship or cargo besides the information specified in § 5 (1). The order of ships in convoy, as well as the need for towing, shall be specified by the master of the icebreaker.

- (2) Ships that are recognised as seaworthy by a classification society or the flag administration and have an ice class and propulsion power within the established limits shall be included in a convoy.
- (3) Ships that need icebreaker assistance to navigate in ice shall wait for the icebreaker at a point specified by the master of the icebreaker and shall not start navigating in ice without the permission from the master of the icebreaker.
- (4) The coordinates of assembly points shall be communicated to ships requiring icebreaker assistance by VTS operators via GOFREP VHF radio working channels.
- (5) The Maritime Administration shall provide the ship's agent or, in the absence of an agent, the shipowner with the following information at their request:
  - 1) point of formation of convoy;
  - 2) time of formation of convoy (UTC);
  - 3) other relevant information and specifications;
  - 4) additional information in the event the icebreaker is delayed.
- (6) Instructions and orders for navigation and communication in convoy shall be given by the master of the icebreaker.
- (7) The masters of ships navigating in convoy shall fulfil the orders given by the master of the icebreaker and be ready to work astern or perform any other manoeuvre without any delay.
- (8) Ships navigating in convoy shall not pass each other without permission from the master of the icebreaker, except in order to avoid direct collision.
- (9) A ship that is assisted in close-coupled towing or is towed by the icebreaker shall not manoeuvre without permission from the master of the icebreaker. A ship towed by the icebreaker shall be ready to let go of the towing line and work full astern without delay.
- (10) In the event of a leakage or other damage, the master of a ship navigating in convoy shall immediately inform the master of the icebreaker thereof.
- (11) The master of the icebreaker may refuse to assist a ship whose master ignores his orders, and shall inform the master of the ship thereof. After such an incident, the master of the icebreaker has the right to leave such a ship in a safe place.

#### **§ 7. Ice-bound ships**

- (1) Ships that have become ice-bound when trying to navigate in ice without permission from the master of the icebreaker shall be assisted when possible.
- (2) In the event of an emergency situation on board such ships, all possible assistance to save lives shall be rendered. Rescuing the ships and cargo shall be treated as property rescue operation.

#### **§ 8. Icebreaking assistance outside the service area of icebreakers**

Icebreaker assistance outside the service area of icebreakers (the water area between the established assembly point and the port of destination serviced by icebreakers) shall be provided for an additional fee according to the agreement between the Maritime Administration and the shipowner.

#### **§ 9. Repeal of the Regulation**

[Removed from the current version.]