

The Process of Reflagging: The Case Study of the Transition of m/v “Viking XPRS” from Estonian to the Finnish Ship Register

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Abstract

The thesis is a case study of a passenger ship being transferred from the Estonian to the Finnish Ship's Register. The aim of study was to introduce the changes in onboard documentation, such as ship's certificates, exemptions from authorities and the required actions to comply with the regulations. Assessment of the co-operation of all involved parties was set as a secondary purpose of the study.

The financial aspects of the reflagging, recruitment and business specifics were not studied in this paper.

The reflagging process was monitored throughout, and a qualitative research method was used. The author read the relevant literature, acts and agreements, conventions, circular letters, press releases, online sources, and other documents to provide a theoretical background to the real actions.

Interviews with the senior master of the vessel and the surveyor of classification society were conducted to evaluate the process from two different angles after the ship was registered under the Finnish flag.

The author concluded that the meeting, joining state authorities, classification society, ship management group and relevant personnel from head office should be arranged as early as possible.

The planning of the reflagging days must be precise, adequate, and detailed in order to achieve the expected goals in a limited time. The corresponding planning was explained and presented in the thesis.

Language: English

Keywords: Traficom, reflagging, ship's register, exemptions, certificates

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Abbreviations

AIS - Automatic Identification System

AVI - Etelä-Suomen Aluehallintovirasto (Regional State Administrative Agency for Southern Finland)

CSR - Continuous Synopsis Record

CV - Curriculum Vitae

DNV - Det Norske Veritas

ECR - Engine Control Room

EMA - Estonian Maritime Administration 13.11.1918- 31.12.2020. United with the Estonian Transport Administration on January 1, 2021

EPIRB - Emergency Position Indicating Radio Beacon

ERR - Eesti Rahvusringhääling (Estonian Public Broadcasting)

ETO - Electro-technical Officer

FRB - Fast Rescue Boat

GMDSS - Global Maritime Distress and Safety System

GMT - Greenwich Mean Time

GOFREP - Mandatory Ship Reporting System in a Gulf of Finland

HKC - Hong Kong Convention

HR - Human Resources

IAPP - International Air Pollution Prevention

IHM - Inventory of Hazardous Materials

ILLC - International Load Line Certificate

IMO - International Maritime Organization

IOPP - International Oil Pollution Prevention

ISM - International Safety Management

ISPP - International Sewage Pollution Prevention

ISPS - International Ship and Port Facility Security

ISSC - International Ship Security Certificate

LOCODE - United Nations Code for Trade and Transport Locations

LR - Lloyd's Register

LSA - Life-Saving Appliance

M/S - Motor Ship

M/V - Motor Vessel

MARPOL - International Convention for the Prevention of Pollution from Ships

MEC - Marine Evacuation Chute

MMSI - Maritime Mobile Service Identity

MOR - Means of Rescue

PSSC - Passenger Ship Safety Certificate

RB - Rescue Boat

RO - Responsible Organization

SMC - Safety Management Certificate

SMS - Safety Management System

SOLAS - International Convention for the Safety of Life at Sea, 1974

SOPEP - Shipboard Oil Pollution Emergency Plan

SSP - Ship Security Plan

STCW - International Convention of Standards of Training, Certification and Watchkeeping
for Seafarers

TRAFICOM - Finnish Transport and Communication Agency

UNCLOS - United Nation Convention of the Law of the Sea

vCSO - Vice Company Security Officer

vDPA - Vice Designated Person Ashore

VDR - Voyage Data Recorder

VHF - Very High Frequency

1 Introduction

The motor vessel Viking XPRS (Figure 1) is a passenger ro-ro vessel built considering the needs of the Helsinki-Tallinn ferry route. The ship was ordered by the Finnish shipping company Viking Line Abp and built by Aker Yards OY Helsinki shipyard. The vessel was launched in September 2007 and left Helsinki for her first voyage on April 27, 2008. During the construction, the ship was built as Finnish but registered in Swedish Ship's Register and entered traffic under the Swedish flag with Norrtälje as a port of registry. According to Wikipedia (MS Viking XPRS, 2023) the Swedish flag was chosen due to higher personnel expenses under the Finnish flag and difficulties in negotiations with the Finnish Seamen's Union.



Figure 1: Viking XPRS (Sakari Saari, 2018).

The next registration of the vessel took place on January 24, 2014, when Viking Line Abp reflagged Viking XPRS under the Estonian flag. According to Wikipedia (MS Viking XPRS, 2023) the 40 % lower social costs and wages of the personnel were the primary motives. Most of the crew were replaced by Estonian employees, who were hired by a crewing service company. The Viking Line Abp purchased the crew management service from a third party, which was responsible for manning the vessel and acted as a link between the employees and the ship.

1.1 Press release

The Finnish shipping company Viking Line Abp published a press release regarding registering their passenger vessel Viking XPRS in the Finnish Register of Ships on December 7, 2022.

Easier staff recruitment and administrating without intermediaries were the reasons behind the decision. The company's employees from other vessels and personnel working on Viking XPRS (around 175 people) could apply for a job on the vessel under the Finnish flag. The reflagging was planned to be completed during the first quarter of 2023. (Viking Line, 2022 a).

Both Finnish and Estonian media channels (Ilta Sanomat, Yle, ERR, Postimees, Äripäev) published the news. The announcement of selling m/v Rosella, another Viking Line Abp passenger vessel, was sent out next day (Viking Line, 2022 b).

The article, referring to the connection between the reflagging of Viking XPRS and the selling of Rosella, was published by Estonian Public Broadcasting (ERR). The article speculated that the reflagging of Viking XPRS improves the management of relieving workforce from m/v Rosella. (Aaspõllu, 2022. Author's translation).

1.2 Aim of study

The author monitored and documented the process of reflagging the passenger vessel from the day in which the press release from Viking Line Abp was sent to media channels and formed the hypothesis that the process of reflagging the vessel and the required actions are not widely known. The event is exceptional even for experienced seafarers and the study seeks to explore how the process is performed in action. Therefore, all available assistance was needed. The aim of study is to:

- 1) Introduce the changes in onboard documentation and required actions from the ship's perspective.
- 2) Evaluate the co-operation with the flag state, classification societies and other involved parties and assess the complexity of the reflagging process.

The thesis will not study the financial aspects of the reflagging, recruitment nor business specifics. The details of the ship's security arrangements and SSP were not revealed. The paper provides insight into the issuing of the ship's certificates but not all certificates are mentioned. The author familiarized himself with relevant maritime literature, international conventions, IMO Safety Committee circulars and other documents in order to understand the background.

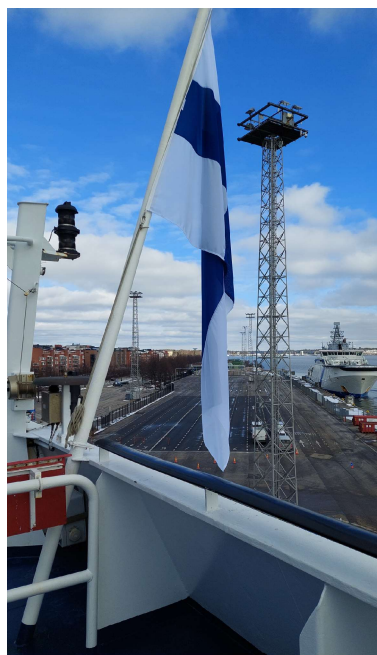
Estonian legislation regarding collective redundancies and Finnish legislation and acts regulating the vessel's registration were analysed. Corresponding information was retrieved from the online sources of Viking Line, the Finnish Shipowner's Association, the European Commission, the United Nations, Traficom and Wikipedia.

The author participated in the reflagging meeting concerning the ship's certificates and plans among representatives from Traficom, Lloyd's Register and Viking Line's key personnel from ship and head office.

The interviews with the senior master and surveyor of Lloyd's Register were conducted after the reflagging to evaluate the execution of the flag change process, co-operation, and responsibilities from two separate angles. The interviews were planned to highlight the issues requiring special attention and provide useful tips for others in the future.

1.3 Flag and nationality

The vessel's flag represents her nationality. The nationality of the ship determines the country where the vessel is registered, also known as the flag state. By the term "flag" is often meant the ship's nationality not the physical flag, hoisted in the flagstaff. The national flag, visual evidence of nationality, is however traditionally hoisted on the flagstaff at the stern of the vessel (Figure 2).



**Figure 2: Flag of nationality
(Ville Vappula, 2023).**

Every State shall fix the conditions for the grant of its nationality to ships, for the registration of ships in its territory, and for the right to fly its flag. Ships have the nationality of the State whose flag they are entitled to fly. There must exist a genuine link between the State and the ship, and every State shall issue the flag documents to ships to which it has granted the right to fly its flag. (UNCLOS, 1982. Article 91).

When a Finnish citizen or legal person owns more than 60 % of the ship, the ship is regarded as a Finnish vessel and is entitled to fly the Finnish flag. All other vessels are to be approved as Finnish by the Finnish Transport and Communication Agency. (Finnish Maritime Act. Chapter 1, section 1).

There are different clauses under which the approval from Traficom may be requested, but all serve the idea of having a genuine link with Finland as stated in UNCLOS Article 91.

The vessel can sail under one state only and a vessel using two or more States as it is convenient, may be considered as a ship without nationality (UNCLOS, 1982. Article 92). A ship without nationality, i.e., the stateless ship, has no protection under international law. A ship flying two flags is not entitled to protection of either of the nationalities that it displays (Rogers, 2010). Operating such a vessel on an international scale is impossible because no entry to ports is permitted.

It is beneficial for the country to have as many ships under its flag as possible, as this will bring profit to the country due to registration and state fees, but the indirect effect to state's shipping sector is even more important (Liepkalns, 2019. Author's translation).

Every flag state is interested in expanding the amount of vessels under its flag and competition between the countries is intense. The vessel's nationality determines which laws and regulations apply on board. It is important for a shipowner to investigate the specifics of the laws and taxation principles before choosing the register for the ship to evaluate the suitability and specifics of the legal framework. Some countries have very strict regulations concerning labour arrangements or contracts of employment, others have created support systems for ship owners.

The European Union (EU) has granted state aid for Finland and 18 other EU countries to improve their competitiveness compared to the flag of convenience countries. EU has allowed either the system of granting or reimbursing reliefs on taxes and non-wage labour

costs or the net wage system. The reform of labour cost reimbursement to ship owners has impacted the Finnish shipping positively; the merchant fleet has been strengthened, and new jobs have been created since 2010. (Finnish Shipowner's Association, n.d.).

The European Commission approved the state aid for maritime transport support concerning the introduction of tonnage tax and the seafarer scheme in Estonia, prolonged the same decision regarding Cyprus, introduced the seafarer scheme in Poland, prolongation in Sweden and prolonged and extended of the same scheme in Denmark. These decisions are approved to encourage ship registration in the European Union and provide support in global competition. (European Commission, 2019).

1.4 Ship registers

Every State must implement the jurisdiction and control on board the vessels in technical, social, and administrative matters. One of the many obligations of the flag state is to maintain a register of ships containing the particulars and the names and of ships flying its flag. (UNCLOS, 1982. Article 94).

A ship may not change its flag during a voyage or while in a port of call, except in the case of a real transfer of ownership or change of registry (UNCLOS, 1982. Article 92).

The registration means the entering of the matter in the public records and therefore public law begins to apply. The register entry is a precondition for a ship's nationality. (Coles & Watt, 2009. Chapter 1, section 1.20).

If the foreign flag is changed into Finnish, the register's entry cannot be made before the authority of register the of previous State has issued the submission of a certificate approving that the vessel has been deleted from their register or will be deleted when entering into the Finnish Register. Another entry serving the same purpose is also acknowledged. (Finnish Register of the Ships Act 512/1993. Chapter 3, section 17).

The Shipping Register of Finland is maintained by the Finnish Transport and Communication Agency and the State Department of Åland. The State Department of Åland is responsible for ships registered in Åland and Traficom for all other vessels in Finland. (Traficom, n.d.).

The Viking Line Abp chose to register m/v Viking XPRS in the Shipping Register of Åland and Mariehamn was set as a port of registry as with other company vessels under the Finnish flag. The registration and deleting from the previous Estonian Register of Ships, was arranged, and handled by a lawyer from Viking Line Abp. This cannot be done before the actual agreed time, but preparation of the relevant documents must be thorough and precise to avoid possible difficulties or delays. The notarised application and consent of the concerned persons, certificate of nationality, documents stating the basis of deletion and evidence of State fee payment are to be presented when applying for ship's deletion from the Estonian Ship Register (Estonian Law of the Ship Flag and Ship Registers Act. § 55).

2 Crew management

Crew management is an important part of reflagging the vessel. This is particularly complicated on the passenger ship which operate with a large amount of crew members. The HR personnel of Viking Line and crewing service company visited the ship and met the crew on board on December 13, 2022, to explain the situation regarding employment. The crew's questions were answered.

2.1 Collective redundancies in Estonia

The differences in laws and regulations concerning reducing the workforce can be remarkable if compared by country. A precise and correct legal basis can however avoid possible problems. All contracts of employment with the crewing service company were to be terminated due to the economic reasons stated in Estonian Employment Contracts Act § 89 section 1 (2009) and compensation paid according to Estonian laws.

The process of collective redundancies was started according to the regulations stated in the Estonian Employment Contract Act. Most of the crew were to be notified in official form two months before the redundancy. In total, 183 employees were affected.

2.2 Internal recruitment

The crew were encouraged to apply for a job among other employees of the company and around 25 % of them were employed by Viking Line Abp. The number of applicants who

submitted a CV during the internal recruitment process exceeded the number of available positions many times over.

2.3 Finnish endorsements for officers

Deck- and engine officers who hold a non-Finnish STCW certificate of competency must apply for endorsement from Traficom to work on Finnish-flagged vessels. Bridge officers must apply for Finnish GMDSS endorsement and the exam for Finnish maritime legislation must be passed if management-level endorsement is applied. (Traficom, n.d.).

3 Ship's certificates

The amount of certificates for the passenger ship, designed to accommodate 2617 people on board, is extensive and physically barely fits into three folders. Each certificate provides evidence of meeting a specified standard. The portfolio of certificates must be renewed if the vessel is registered in a different country to comply with regulations. Every ship's certificate needs to be checked separately. The most common update, what is needed to be performed concerns the vessel's flag, port of registry and call sign, where applicable. These will change every time the ship is reflagged.

3.1 Responsibilities between Traficom and RO

The authority to perform on behalf of the flag state may be delegated to the responsible organization (RO) to provide statutory certification and services under mandatory IMO regulations and State's legislation (IMO Code of Recognized Organizations. Part 1, section 4.1). The flag state is still responsible but the issuing of the certificate, as agreed, can be done by Lloyd's, DNV or any other complying RO.

The Finnish Transport and Communication Agency and Responsible Organization (RO) have agreed in the issuance of statutory certificates for the ships registered in Finland. This document states the guidelines for both parties regarding statutory services, general conditions, special measures, supervision, remuneration, confidentiality, liability, and information exchange. The issues concerning confidentiality, surveyors, amendments, legal basis, representation, and termination of agreement are also explained. (Traficom, 2021 a).

Appendix 1 (Degree of Authorization) of the agreement states precisely which party of an agreement is issuing a specific certificate, attachment, or supplement, regulates the approval of the plans and the arrangement of ISM and ISPS audits. It provides information on how to apply for a new certificate from the flag state. Traficom has delegated the issuing of most of the certificates to the classification societies.

3.2 Reflagging meeting

Traficom, the ship's owner and RO need to be in dialogue when the ship is transferred to the Finnish Ship's Register to arrange, discuss, and clarify the responsibilities and tasks concerning the process. A meeting of the involved parties is to be held if found necessary. (Traficom, 2021 b. § 2).

The meeting was arranged by the fleet manager of Viking Line Abp on February 2, 2023, upon suggestion from Lloyd's. A web-based meeting platform was used. Other participants from the head office of Viking Line Abp included the technical superintendent and HR manager. The senior master, master and chief officer represented Viking XPRS. There were four people behalf of Traficom and two people from Lloyd's. The author participated in the meeting as an observer.

All the ship's certificates and plans which needed to be issued or approved by Traficom or Lloyd's were discussed in the meeting and how to go forward was clarified. Other conclusions from the meeting included:

- 1) Viking XPRS will arrive at Helsinki on March 6, 2023 at 00:30 and stay there for three days for the execution of reflagging. Registering to the Finnish Ship Register is planned on the morning of March 06, 2023.
- 2) The working language will remain English. The translation of the company's manuals, signs and labels is not necessary and will thus simplify the process remarkably.
- 3) An International Tonnage Certificate is needed for registering the ship. This has been applied for and issued already on January 11, 2023. All other certificates must be ready before the vessel sails.

- 4) All annual LSA and firefighting equipment inspections are to be performed by an RO approved service provider before the flag change survey. From Lloyd's perspective, the flag change survey equates to passenger ship safety and the annual survey. The details are to be handled and arranged by the master.
- 5) It was decided not to apply for an exemption to keep the watertight door WT 007 open at sea, as it was under Estonian flag since 2021, due to complicity in the process. The watertight door WT 007 separates the engine room and ECR. The exemption was applied for from Estonian authorities to ease the passage for engine room personnel in their daily job. Exemptions to keep WT 009 and WT 011 open at sea were initially given on 2008 by the Swedish authorities and no floatability assessment, to give this permission, was required at that time. According to circular letter number 1380 of IMO Maritime Safety Committee (2010) and as specified in Appendix 1, the floatability assessment becomes required to apply for the exemption after December 10, 2010. The benefit for having exemption for WT 007 was evaluated as too small to perform the floatability assessment. That it should not have been allowed under Estonian flag was also concluded.

3.3 Certificates issued by Traficom

International Tonnage Certificate (1969). Issued under the provisions of the International Convention on Tonnage Measurement of Ships, 1969, under authority of the Government of Finland for which the convention came into force on July 18, 1982, by the Finnish Transport and Communication Agency. The original measurement from January 30, 2008, certificate was reissued on January 11, 2023, in Helsinki. The application was sent to Traficom by personnel from the head office. (Ship's certificates folder).

Minimum Safe Manning Certificate. Issued under the provisions of regulations V/14 (2) of the International Convention of Safety of Life at Sea, 1974, as amended under authority of Government of Finland (Ship's certificates folder).

Applied from Traficom by the senior master and HR manager, issued on January 23, 2023, with a validity period of six months, starting from March 1, 2023. The minimum safe crew required for sea-going was 19 according to the EMA, although Traficom evaluates it to be 21. The number and ranks of junior and senior officers are the same, except that the EMA

does not require ETO to be included, contrary to Traficom. The same applies to the electro-technical rating. Traficom does not find it necessary for steward to be part of the minimum safe manning. All the other differences are due to variations in able seamen (deck and engine), watchkeeping ratings (deck and engine) and ordinary seamen. The tendency towards a smaller deck crew and bigger engine crew under the Finnish flag is clearly seen in comparison to the Estonian flag.

Continuous Synopsis Record (CSR) Document Number 8 for the ship with IMO Number 9375654. Issued by State Department of Åland on March 6, 2023. (Ship's certificates folder).

Certificate of Nationality. Issued by State Department of Åland on March 6, 2023, confirming the ship is Finnish and duly entered in the register of Finnish ships. The certificate is valid for five years. (Ship's certificates folder).

Stability Certificate for Ro-Ro Passenger Ship (2003/25/EC). Also known as the Stockholm Agreement. Traficom has issued this certificate according to the requirements of directive 2003/25/EC Article 6 and Act on the Technical Safety and Safe Operation of Ships (1686/2009) Section 34 a. to certify that the ship complies with the specific stability requirements established in Article 6 and Annex I of directive 2003/25/EC. The ship complies with the specific stability requirements up to ...4,0... metre significant wave height. Issued on February 20, 2023. (Ship's certificates folder).

A Letter of Approval of the Register of Persons. Certificate was issued on January 14, 2023 (Ship's certificates folder).

Record of Conditions of Assignment International Convention of Load Lines, 1966. Issued during the flag change on March 6, 2023. (Ship's certificates folder).

Maritime Labour Certificate. Issued under the provisions of Article V and Title 5 of the Maritime Labour Convention, 2006, based on the inspection report provided by the Regional State Administrative Agency for Southern Finland (AVI) (Ship's certificates folder).

The issued certificate will be interim and valid for six months until the full inspection is carried out by the AVI. The certificate will be issued by Traficom after a successful inspection report is presented. This gives the ship time to make improvements in order to

fully comply. The AVI inspection was carried out remotely with the senior master using the web-based meeting platform. The full inspection will be carried out on board.

Certificate of Insurance or Other Financial Security in Respect of Civil Liability for Bunker Oil Pollution Damage. Issued by Traficom on March 6, 2023, noon GMT with validity until February 20, 2024, noon GMT when the annual insurance period is renewed. It certifies the ship's policy of insurance or other financial security satisfying the requirements of article 7 of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001. (Ship's certificates folder).

Certificate of Insurance or other Financial Security in Respect of Liability for the Death of and Personal Injury to Passengers. Issued by Traficom which certifies that the ship's policy of insurance or other financial security satisfy the requirements of Article 4*bis* of the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 2002. Valid from March 6, 2023, noon GMT until end of insurance period on February 20, 2024, noon GMT. (Ship's certificates folder).

3.4 Certificates issued by Lloyd's

Certificate of Class. Issued April 16, 2020, and valid until April 15, 2025. 1st annual survey endorsement issued on March 4, 2021, intermediate survey endorsement issued March 10, 2022, 3rd annual survey endorsement issued on February 28, 2023. The 3rd annual survey was carried out earlier, considering the flag change. In normal circumstances the annual or intermediate survey is to be held in conjunction with the periodical load line inspection and safety construction annual survey. (Ship's certificates folder).

Document of Compliance. Special Requirements for Ships Carrying Dangerous Goods. Issued on March 6, 2023, and valid until April 15, 2024. Will be renewed together with the International Ship Security Certificate (ISSC) and Passenger Ship Safety Certificate (PSSC). (Ship's certificates folder).

Certificate of Inventory of Hazardous Materials. The certificate is based on a survey carried out on December 21, 2020, and valid until April 15, 2025. Annual survey is required. Certificate was reissued on March 6, 2023. (Ship's certificates folder).

Statement of Compliance on Inventory of Hazardous Materials (IHM HKC). The statement is to be supplemented by Part 1 of the Inventory of Hazardous Materials. Issued under the provisions of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of ships, 2009. Certificate was reissued on March 6, 2023, and valid until April 15, 2025. (Ship's certificates folder).

International Ballast Water Management Certificate. Issued under the provisions of the International Convention for the Control and Management of Ship's Ballast Water and Sediments under the authority of the Government of Finland. Annual- and intermediate surveys are required. Issued on October 7, 2020, and valid until April 15, 2025. Intermediate survey was carried out on February 6, 2022, and the last annual survey was on February 28, 2023. The certificate was reissued on March 6, 2023. (Ship's certificates folder).

International Oil Pollution Prevention Certificate. (IOPP) Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and as amended under the authority of the Government of Finland. Annual- and intermediate surveys are required. Valid until April 15, 2025. Intermediate survey was carried out on February 6, 2022, and last annual survey on February 28, 2023. The certificate was reissued on March 6, 2023. (Ship's certificates folder).

Record of Construction and Equipment for Ship other than Oil Tankers. Supplement to the International Oil Pollution Certificate. Certificate was reissued on March 6, 2023. (Ship's certificates folder).

International Sewage Pollution Prevention Certificate (ISPP). Issued under the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended under the authority of Government of Finland. Issued on February 6, 2020, and valid until April 15, 2025. Certificate was reissued on March 6, 2023. (Ship's certificates folder).

International Air Pollution Prevention Certificate (IAPP). Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 related thereto under the authority of the Government of Finland. Annual- and intermediate

surveys are required. Intermediate survey was carried out on February 6, 2022, and last annual survey on February 28, 2023. Certificate was reissued on March 6, 2023, and remains valid until April 15, 2025. (Ship's certificates folder).

International Anti-Fouling System Certificate. Issued under the International Convention on the Control of Harmful Anti-Fouling Systems on Ships under the authority of the Government of Finland. The certificate is supplemented by the Record of Anti-Fouling Systems approved by Lloyd's. Issued on February 6, 2020, and reissued on March 6, 2023. (Ship's certificates folder).

International Energy Efficiency Certificate. Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 related thereto under the authority of the Government of Finland. The certificate is based on a survey carried out on January 22, 2014, and reissued on March 6, 2023. (Ship's certificates folder).

International Load Line Certificate (ILLC). Issued under the provisions of International Convention of Load Lines, 1966, as modified by the Protocol of 1988 relating thereto, under the authority of the Government of Finland. Issued on February 6, 2020, and valid until April 15, 2025. Annual surveys are required. The last, 3rd, annual survey was carried out on February 28, 2023, and certificate was reissued on March 6, 2023. (Ship's certificates folder).

Passenger Ship Safety Certificate (PSSC). Issued under the provisions of the International Convention for the Safety of Life at Sea, 1974, as modified by the Protocol of 1988 relating thereto, under the authority of the Government of Finland. Certificate is supplemented by an updated Record of Equipment for Passenger Ship Safety (Form P). The certificate was issued on March 6, 2023, and expires on April 15, 2024. (Ship's certificates folder).

Record of Approved Safety Equipment. Certificate was reissued on March 6, 2023, with updated information regarding call sign, MMSI number and port of registry. (Ship's certificates folder).

Statement of Conformance for MARPOL Annex V. The document regarding garbage pollution prevention was originally issued on February 23, 2013. Renewed with adequate call sign and port of registry on March 6, 2023. (Ship's certificates folder).

3.5 ISM and ISPS certificates

The agreement between Traficom and the RO states that audits related to the Document of Compliance (DOC) and Safety Management Certificate (SMC) may be performed either by Traficom or by the RO. The DOC and SMC are issued by the auditing body. (Traficom, 2021 b. § 6.1).

The DNV is the RO regarding the ISM and ISPS of the Viking Line. This applies to all vessels and the head office. Therefore, the following certificates were issued by the DNV:

Safety Management Certificate (SMC). Issued under the provisions of the SOLAS, 1974, as amended under the authority of Government of Finland. Interim certificate issued based on DNV surveyor's shipboard inspection on March 8, 2023, with validity of six months. (Ship's certificates folder).

The internal ISM audit is to be carried out within three months after issuing and external audit before the due date of six months. The ship has time to update the SMS documentation. The inspection of manuals, appendixes and relevant documents started shortly after the announcement of the change of flag. The working group, including Marine Operations personnel from head office and ship's management group, was created in a web-based meeting platform and the chat utility was used for fast and efficient communication regarding updates to documents. The progress was discussed in weekly meetings.

International Ship Security Certificate (ISSC). The ship security plan was approved by DNV, and a new interim International Ship Security Certificate was issued on March 8, 2023 (Ship's certificates folder).

The clause of internal audit to be carried out during three months and external audit before the passing of six months applies. The RO approving the SSP is not allowed to participate in the ship security assessment and preparation of the SSP.

4 Exemptions

The vessel had seven different exemption certificates before registering to the Finnish Register of Ships. Exemptions for service lift installation and waste discharge in Estonian

ports were not affected by the changing of registers. All other exemptions were to be reissued by the flag state and applied from Traficom by the captain. All exemptions certificates are issued by Traficom solely and not delegated to the RO (Traficom, 2021 b. § 3.1).

4.1 Service lift

The permission to install a service lift, equipped with a watertight door, connecting deck 3 (car deck) with deck 2. The application was submitted to the Finnish Maritime Administration by AKERYARDS on May 2, 2007, and issued on May 30, 2007. The service lift can have access to deck 3 if it is equipped with a watertight door. The access to the service lift shall be closed before the ship leaves the berth on any voyage and shall remain closed until the ship is at the next berth. The master shall ensure that an effective system of supervision and reporting of the closing and opening of the access to the service lift is implemented. The master shall ensure, before the ship leaves the berth on any voyage, that any entry in the logbook, as required by SOLAS Chapter II-1/25, is made of the time of closing of the access to the service lift. This decision is in force until further notice. It remains unchanged when the flag changes. (Ship's certificates folder).

4.2 Security information

Exemption from provision of security information prior entry into port (Art. 7, Regulation EC No 725/ 2004). The application for an exemption from the provisions of security information prior to entry into ports into the scheduled route: Helsinki (FIHEL-0072) – Tallinn (EEVAN-001) was sent by the master on January 14, 2023. The required documents included the application form, scanned ISSC and the valid schedule for the route. Proper LOCODEs were to be used because exemptions are only granted for specific port facilities within the port, not the whole port as such. Exemption was issued on March 8, 2023 and remains valid for five years. The ship is exemp from the provision of security information prior to entry into port of Helsinki (FIHEL-0072). The exemption is only valid on security level 1. (Ship's certificates folder).

4.3 Lifeboat's inventory

Exemption not to carry food rations, fishing tackle and fresh water in lifeboats, M/S Viking XPRS, IMO 9375654. Applied by the master on January 12, 2023, and issued on March 6, 2023. Traficom decided to allow the vessel not to equip the lifeboats with food rations and fishing tackle but rejected the request not to carry any fresh water in the lifeboats. The minimum amount of fresh water allowed to be carried in every lifeboat is stated to be 0.2 liters per person without having to install a desalination plant. The decision is in force on route Helsinki-Tallinn-Helsinki voyages for five years. Statement of grounds by Traficom:

- 1) Avoiding dehydration is not the only reason for which fresh water may be needed. Some lifeboat occupants may need fresh water for taking medicine or anti-seasickness tablets.
- 2) The vessel is equipped with life rafts that carry the "SOLAS B" equipment pack that is waived of the requirement of carriage of fresh water. Although the vessel's trading areas are close to the shore, evacuation of thousands from the survival crafts takes considerable time in any case. Thus, the fresh water in lifeboats is a resource for the people in the life rafts as well. (Ship's certificates folder).

The vessel was exempt from the carriage of fresh water under the Estonian flag but finds Traficom's decision acceptable and no request to administrative review has been sent. It should be kept in mind that the exemption is in force only for voyages en route Helsinki-Tallinn-Helsinki and for any other voyage the vessel's lifeboats must comply with the general regulation fully and carry fresh water accordingly:

3 ℓ of fresh water for each person the lifeboat, of which either 1 ℓ may be replaced by the desalting apparatus capable of producing an equal amount of fresh water in two days, or 2 ℓ per person may be replaced by the manually powered reverse osmosis desalinators, producing the same amount of fresh water over two days. (LSA Code, 2017. § 4. 4. 8. 9.).

4.4 Watertight doors

The permission to keep certain watertight doors open while at sea. The exemption to keep watertight doors WT 009 and WT 011 in the preparation galley open while at sea was

applied by the master and issued on February 10, 2023. The exemption to keep the watertight door WT 007 open at sea was not requested, as agreed in the reflagging meeting. The compartments on deck 2, in which these watertight doors are situated, are manned during voyages. Keeping of the aforementioned watertight doors open at sea has been permitted by Sweden, the flag state at the time, by a decision dated April 28, 2008.

The Finnish Transport and Communication Agency permits that watertight doors WT 009 and WT 011 are kept open while at sea provided that the doors are ready to be immediately closed and clearly indicated in the ship's stability material. The doors shall also be provided with warning texts and damage control drills involving closing the doors from different control positions shall be performed regularly. Instructions regarding the keeping open and closure of the doors shall be included in the ISM system.

Statement of grounds: According to SOLAS II-1/ 15.9.2 the Administration may permit that the watertight door can be kept open at sea when work in the immediate vicinity of the door necessitates it being opened. The doors must be immediately closed when the task which necessitated it being opened is finished. The Finnish Transport and Communication Agency considers that keeping these doors open while at sea when work is being carried out in their vicinity does not essentially endanger the safety of the ship. Furthermore, the ship has permission to keep the doors open at sea while registered to Sweden and Estonia. The decision is in force for five years. (Ship's certificates folder).

4.5 GOFREP

Exemption from the Mandatory Ship Reporting System (GOFREP) Reporting Requirements. The request to obtain an exemption from the mandatory GOFREP reporting requirements for Finnish vessel Viking XPRS, IMO 9375654, call sign OJND was applied by the master on January 13, 2023. The vessel is engaged in regular service between Helsinki and Tallinn, equipped with GMDSS radio station for area A2 and has a minimum of three VHF sets on the bridge.

Traficom decided to exempt the vessel from Short Reporting requirements as mentioned in the GOFREP Master's Guide dated December 20, 2018, in paragraph 3.2 Short Report. The decision is valid during the time the vessel is in regular traffic between Helsinki and Tallinn. Viking XPRS must keep its AIS activated and ensure a continuing radio watch on

channels 60, 61 and 16. This decision was issued on March 6, 2023, and remains valid for five years.

Statement of grounds: Traficom as the competent authority considered that the exemption does not weaken traffic safety in the Gulf of Finland because most of the Full Report information is available in AIS. (Ship's certificates folder).

4.6 Waste management in Finland

Certificate of exemption from Waste Management Regulations at the Ports of Finland.

The Viking XPRS is in regular traffic between Helsinki-Tallinn, repeatedly calls the port of Helsinki and has made an agreement on the delivery of oily waste, garbage, and sewage at the port of Helsinki. The vessel is thus exempt from the requirements of mandatory delivery of waste and cargo residues and notification of waste at the port of Helsinki. The vessel is also exempt from paying the no-special fee related to the reception of waste in Helsinki. The exemption is issued on March 20, 2023, and valid until November 17, 2023. (Ship's certificates folder).

4.7 Waste management in Estonia

Certificate of Exemption from Mandatory Delivery and Notification of Waste in Estonian Ports.

The exemption was issued under the Government of Estonian Republic by the Estonian Transport Administration according to Port Act paragraph 29 which enforces EU Directive 2019/883. The exemption applies for the mandatory delivery of oily waste from the ship's machinery spaces, and garbage in the Port of Old City Harbour, Tallinn. The ship is subsequently also exempt from notifying the Port of Old City Harbor of the exempt waste and from the obligation to pay the fees according to the Ports Act § 29. The certificate of exemption is valid until December 8, 2023, and change of vessels flag has no impact on validity. (Ship's certificates folder).

5 Plans and documents

The plans and documents containing the changed information such as call sign, port of registry, MMSI number or vessel's flag needed to be updated, and corrections were to be approved by the RO. (Traficom, 2021 b. § 5).

The most common correction is the replacing of the title page, where this kind of information is found. These were checked on board and assisted by the Marine Operations department from the head office. The Damage Control Plan was updated regarding specific watertight doors allowed to be opened at sea and approved by Traficom as agreed with Lloyd's in the reflagging meeting. According to Appendix 1 in Traficom and RO agreement (2021) this responsibility is delegated to the RO, but the parties can develop alternative solutions if the situation requires. The DNV surveyor approved the SSP and the Lloyd's surveyor approved the relevant plans and documents:

- 1) Muster list.
- 2) Shipboard oil pollution emergency plan (SOPEP).
- 3) Stability booklet.
- 4) Safety- and fire-control plan.
- 5) Cargo securing manual.
- 6) Ballast water management plan.
- 7) Emergency towing booklet.

6 Lay-by days for flag change

Viking XPRS departed on its last voyage under the Estonian flag from Tallinn Old City Harbour on the evening of March 5, 2023. The ship was planned to be out of the line traffic for three days and depart from Helsinki South Harbour on the evening of March 8, 2023, at 20:30 with the Finnish flag hoisted on the flagstaff. The relatively short lay-by time required elaborate planning and effort from all parties involved.

6.1 Planning

The preparations for lay-by days had already started in February and the list of actions was consistently updated. It was obvious to all involved parties that only systematic and thorough planning could lead to a positive outcome; the vessel, crew, and certificates ready for departure. A wide selection of work clothes was delivered on board, and a temporary

wardrobe set up on the forward part of the ship on deck 8 for the joining crew (Figure 3). The crew was to be ready to start working after 3 days and operational issues were to be arranged accordingly.



Figure 3: Temporary wardrobe (Jüri Sooäär, 2023).

The tags at the radio stations containing the call sign and MMSI number were arranged by the chief mate as part of the preparation duties (Figure 4). A Finnish logbook and the correct size national flags were ordered. All the stickers for lifebuoys, lifeboats, and rescue boats with a new port of registry had to be ordered in advance. The same applied to the call sign labels on the rescue crafts. A lifting device needed to be ordered to reach the lifeboats to carry out the replacement work. After the vessel was turned around, the same tasks needed to be performed on the port side. Therefore, the main engines needed to be started and all planned maintenance regarding the main engines had to consider this aspect. Different third-party maintenance jobs, which cannot be done while in traffic, were planned for the lay-by days.

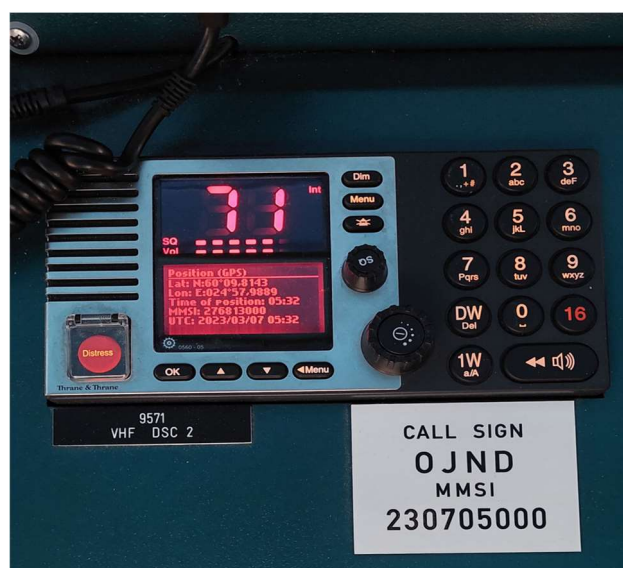


Figure 4: Tags for radio stations (Jüri Sooäär, 2023).

6.1.1 Safety officer

It is of the utmost importance to have qualified and competent crew to handle emergency situations on board. The responsibility for the safety of 2500 passengers must be taken extremely seriously. The safety officer's position on Viking XPRS was created to support the crew's safety-related awareness, improve skills, knowledge and actions and overall emergency readiness. The majority of the crew had no experience with Viking XPRS and additional attention paid to the emergency response was necessary. Both safety officers came onboard in the previous week before the reflagging and started to plan the lay-by days from their perspective without delay. The signing of the contract of employment, introduction of the new employee and workplace orientation regarding the joining crew were to be included in the schedule to comply with regulations and the company's procedures.

6.1.2 Crew

Some of the departing crew left the vessel in Tallinn the previous evening and the remaining crew on the morning of March 6, 2023. Those who had worked for the crewing service company under Estonian flag, and successfully applied for a job in the Viking Line Abp, signed their contracts of employment early that morning.

All the new personnel were asked to participate in the flag-changing days for introduction, training, and service education. The new crew was contacted and informed about the schedule, along with when and how to come on board. According to the received information, the joining crewmembers mustered at the Viking Line's terminal at 10:00 a.m. The purser, as a crew manager on board, met them and guided them to the ship's conference room for the informational meeting.

The captains greeted the new personnel on board and safety officers introduced the planned schedule for lay-by days.

6.1.3 Purser

The purser is a crew manager on board Viking XPRS who handles the contracts of employment, crew's certificates, and other relevant crew documents. One additional purser was designated to support this activity because of the large number of personnel

starting work the same day. The temporary office was set up in one of the conference rooms, where all three pursers systematically handled the crew's documents and crewmembers signed the contracts of employment.

6.1.4 Safety and introduction schedule

The first duty for safety officers was to create a schedule for lay-by days. The safety officers agreed with the captain, purser, intendant, chief engineer, and chief mate about the activities needing to be gone through during the three days to ensure:

- 1) The crew, mostly new, is ready to handle their duties in emergency situations according to the muster list. This readiness was to be assessed by DNV and Traficom before the vessel was allowed to sail.
- 2) The crew is familiar with fire safety and local extinguishing systems installed on their worksite, where applicable. For example, the extinguishing system for the galley exhaust duct (Figure 5).
- 3) The preparation, operation and launching of lifeboats and marine evacuation chute (MEC) is familiarized to the crew.
- 4) The crew is ready to start executing their working duties for the time of the vessel's departure and provide adequate customer service.



Figure 5: Local extinguishing system for galley exhaust duct (Jüri Sooäär, 2023).

The technical crew was to be trained more extensively due to the wider variety of emergency duties and specific introduction procedures implemented by Viking Line Abp. The employer's forms, regarding additional familiarization for deck- and engine crew and critical operations, were to be followed. In addition to deck- and engine crew, the security guards and nurse were included in the so-called "drift" group.

The remaining personnel were divided into three groups, each containing around 35 people. A name list, stating the group for every employee, was provided. The time of the event was marked and colour codes for groups were applied for greater readability. The rotation of the groups between the planned activities was intended to ensure smooth operation and avoid the queues. All the required fields in the company's form, regarding familiarization of new employees, were to be covered with activities during the three lay-by days. The groups were created accordingly:

- 1) Group 1 consisted of catering and administrative crew and was marked with a yellow colour.
- 2) Group 2 included galley and entertainment personnel and was marked with blue colour.
- 3) Group 3 was marked with a green colour and combined with employees from shop and hotel.

The corresponding information about the events, gathering places and responsible leaders was printed on the separate page to supplement the table of activities. The printout was displayed in the ship's conference room.

6.2 Reflagging ceremony

The reflagging ceremony was held on the aft part of deck 7, next to the vessel's flagstaff, after the senior master had received confirmation that the Viking XPRS was registered in the Finnish Ship Register. This event became the first entry in the Finnish logbook, taken into use at 13:00. A representative of the Finnish Seafarers' Union, along with photographers and corresponding media channels, was present. The Viking line's vice president of corporate communications presented a short summary of the history of the

Viking XPRS, the senior master thanked the leaving crew and greeted the joining personnel in Finnish, the master did the same in Swedish and the author in Estonian.

The captains lowered the Estonian flag and handed it over to the author. The Finnish flag was hoisted while the national anthem played. The event was celebrated with a glass of champagne. The pictures taken were published in several media channels (Figure 6).



Figure 6: Picture from reflagging ceremony (Ville Vappula, 2023).

6.3 Crew's introduction and training

The ship was new for most of the crew, and it would take time and practice to study the ship. The joining personnel faced the challenge of learning the ship's layout, their emergency duties, and operational assignments very quickly. The introduction and training of new crewmembers had already started at home. All personnel had to pass seven online courses independently before joining the vessel. Onboard introduction and training sessions started shortly after the reflagging ceremony. Some crew members, who were

also working on Viking XPRS under the Estonian flag, were required to assist in training sessions and introduction.

6.3.1 First lay-by day

Every group had four events for the first day covering the signing of the contracts, safety introduction theory, ship's tour with own department and service education (Figure 7).

Monday 06.03.2023		
1000-1100	Crew from terminal to conference for informational meeting	
1100-1200	Master, Ship's Leading Group, Safety scedule briefing	
1200-1300	LUNCH AT BUFFE	
1300-1400	FLAG CHANGE 13:00-13:15	
1400-1500	Safety intro Group Drift	Contracts Group 2
1400-1500	Service education Group 3	Ship tour - Group 1 own dept.
1500-1600	Safety intro Group 2	Contracts Group 3
1500-1600	Service Education Group 1	Ship tour Group Drift "CRMB"
1600-1700	DINNER AT BUFFE	
1700-1800	Safety intro Group 3	Contracts Group 1
1700-1800	Service education Group Drift	Ship tour Group 2 - own dept.
1800-1900	Safety intro Group 1	Contracts Group drift
1800-1900	Service education Group 2	Ship tour Group 3 - own dept.
1900-2000	Debriefing of the day, schedule for Tuesday when groups have done all parts of Monday program	
1900-2000		

Figure 7: Crew's activities for first lay-by day (Halenius & Heikkilä, 2023).

The introduction covering the safety- and security information was carried out in the conference room by safety officers in the form of a presentation. The event covered the first-day knowledge when joining the vessel.

The ship's tour with own department was assisted by the crewmembers who worked on the Viking XPRS under the Estonian flag and were employed by Viking Line. This meant the crew who were already familiar with the ship. The technical group (drift) was familiarized according to the company's form "CRM-B" during their ship's tour. This form not only included the operation of shell doors, ramps, and car deck ventilation, but also safety and

security on the car deck. The same form provided a checklist where handling of dangerous goods and possible leakage actions was introduced.

The service education was arranged by the intendant as a refreshment and a guide to provide high-quality customer service from the first day the vessel entered traffic under the Finnish flag.

The crew's contracts and certificates were checked, registered, and handled in the purser's temporary office. The required software update for the company's program, used for this purpose, was performed simultaneously.

6.3.2 Second lay-by day

The second lay-by day was planned for lifeboat-, MEC- and fire drills (Figure 8). All technical crew participated in the fire attack drill, i.e., the firefighting exercise with designated equipment.

Tuesday 07.03.2023		
0800-0900	Lifeboat Group 1	MEC Group 2
0800-0900	SPECIAL FIRE DRILLS see sheet "FIRE"	
0900-1000	Lifeboat Group 2	MEC Group 3
0900-1000	SPECIAL FIRE DRILLS see sheet "FIRE"	
1000-1100	Lifeboat Group 3	ATTACK GROUP - ALL DRIFT
1000-1100	MEC Group 1	
1100-1200	LUNCH AT BUFTE	
1200-1300	FIRE DRILLS IN KITCHEN (CHEFS + SECURITY)	
1300-1400	Evac + Musterstation Group 1	
1300-1400	FIRE DRILLS IN KITCHEN (CHEFS + SECURITY)	
1400-1500	Evac + Musterstation Group 2	
1500-1600	Evac + Musterstation Group 3	
1500-1600	SPECIAL FIRE DRILLS see sheet "FIRE"	
1600-1700	DINNER AT BUFTE	
1700-1900	GENERAL DRILL "EXERCISE", BOTH WATCHES	
1900-2000	Debriefing of the day, schedule for Wednesday	

Figure 8: Crew's activities for second lay-by day (Halenius & Heikkilä, 2023).

All other groups were trained in accordance with the general fire safety requirements implemented by the company. Special fire drills for local extinguishing systems in galley were carried out for chefs and the positions of sprinkler system closing valves were introduced to the security guards.

The lifeboat- and MEC drills were arranged in two parts and carried out by safety officers and officers who were also working on board before reflagging. The theoretical part was presented in conference spaces and the practical part at the life crafts. The launching of lifeboats was gone through step by step, and the equipment demonstrated. The lifeboats were lowered to the embarkation level (Figure 9).

The first general drill including both working shifts was planned for the afternoon. The same exercise, only involving evacuation and mustering, was performed again after the briefing, and along with explaining potential areas of improvement before the second attempt. The debriefing and the introduction of next day's plans followed.



Figure 9: Lifeboat at embarkation level (Jüri Sooäär, 2023).

6.3.3 Third lay-by day

The third lay-by day concentrated on practice for full-scale emergencies including fire, evacuation and abandoning ship. The crew's ability to execute the skills and knowledge trained on previous days was tested in practice. The technical crew were occupied with lifeboat, rescue boat (RB), fast rescue boat (FRB) and means of rescue (MOR) training sessions before noon. At the same time, other crewmembers were able to carry out the workplace orientation, according to the company's relevant form.

The afternoon involved full-scale general drills for both working shifts (Figure 10). These drills were inspected by DNV and Traficom and they were intended to assess if the vessel was ready to enter traffic.

The debriefing after the general drill was held at the conference room and the surveyor from DNV shared his insights, confirmed the readiness to return to line traffic under the Finnish flag, and reminded the crew to use their head in any emergency which might occur.

The time till the first departure was spent on operational familiarization and preparing for customer service. The new bridge officers were introduced with bridge equipment according to the company's form.

	Wednesday 08.03.2023
0800-0900	Drift - Lifeboat
0800-0900	Drift - RB/FRB & MOR
0900-1000	Drift - Lifeboat
0900-1000	Drift - RB/FRB & MOR
1000-1100	Drift - Lifeboat
1100-1200	LUNCH AT BUFTE
1200-1400	GENERAL DRILL, WATCH 1
1500-1700	GENERAL DRILL WATCH 2
1700-1800	DINNER IN THE CREW MESS
1700-1800	
1800-1900	EXTRA EXERCISES IF SOMETHING IN INTRODUCTION UNDONE
1800-1900	EXTRA EXERCISES IF SOMETHING IN INTRODUCTION UNDONE
1900-2000	EXTRA EXERCISES IF SOMETHING IN INTRODUCTION UNDONE
1900-2000	EXTRA EXERCISES IF SOMETHING IN INTRODUCTION UNDONE
2000-2100	DEPARTURE FROM HELSINKI 20:30

Figure 10: Crew's activities for third lay-by day (Halenius & Heikkilä, 2023).

6.4 Home port and call sign

The vessel's name and port of registry was painted on both sides of the hull. The home port changed from "Tallinn" to "Mariehamn" and needed to be repainted (Figure 11). The port of registry of the ship shall be marked on each side of the lifeboat's bow using block capitals

(LSA Code, 2017. § 4. 4. 9. 2). The lifeboats, rescue boat and fast rescue boat also carry the ship's call sign on the top. The vessel was moored with the starboard side and was turned around in the morning of the second lay-by day to access the required places on the port side of the ship. The port of registry needed to be replaced on all lifebuoys (Figure 12). The bosun and able seamen were engaged with these jobs and the ship was turned around once more after the jobs were completed.



Figure 11: Home port (Jüri Sooäär, 2023).



Figure 12: New and old lifebuoy (Jüri Sooäär, 2023)

6.5 Radio equipment

The vessel's annual radio survey was carried out less than three months before reflagging and was not required to be repeated. The vessel's Radio Licence had already been issued by Traficom. The reprogramming of call signs, MMSI numbers and possibly other data in radio installations needed to be completed during the flag change. (Reflagging meeting 02.02.2023).

The service provider for shore-based maintenance of radio installations must be approved by Traficom when a vessel is flying the Finnish flag (Traficom, 2021 b. § 7. 3. 2). The contract of GMDSS shore-based maintenance was signed with the same service provider as other Finnish-flagged vessels in the Viking Line's fleet and arrangements for surveyor's attendance during flag change was agreed.

The radio surveyor confirmed the correct programming of GMDSS equipment, including AIS and VDR with static-, dynamic-, and voyage-related information where applicable. The performance tests were carried out and the reports presented to the surveyor from the Lloyd's together with the Record of Approved Radio Installations. These reports were saved in the ship's certificate folder along with the LRIT Conformance Test report. The Lloyd's surveyor accepted the documents.

The vessel was carrying one additional VDR EPIRB, installed with the renewal of VDR and two regular EPIRBs. According to the radio surveyor it is sufficient to have VDR EPIRB and one regular EPIRB because the functionality is the same and the requirement was fulfilled. It was decided to reduce the number of radio beacons and one of the regular beacons was taken out of service. It should be mentioned that since the Viking XPRS was initially built as a Finnish vessel then the same MMSI number and call sign, once issued, were taken into use again.

6.6 Inspections

Multiple inspections were ongoing at the same time the crew was engaged with training. The representatives of the flag state, DNV, Lloyd's and the Estonian Port State Control carried out their tasks according to the legal framework.

6.6.1 Traficom inspection

The surveyor from Traficom spot-checked the vessel and monitored the crew's training to evaluate the readiness of safe operation from the flag state perspective. The ship's tour was carried out and the findings were addressed immediately. The execution of general drills, involving the whole crew, was witnessed and no remarks were made.

6.6.2 DNV inspection

The surveyor from Det Norske Veritas, as a representative of the RO, who is responsible for approving ISM and ISPS compliance, carried out the onboard survey and evaluated accordance with the crew's training. He assessed the vessel to be ready to return to line traffic and issued the interim Safety Management- and Ship Security certificates accordingly.

6.6.3 Lloyd's inspection

The surveyor from Lloyd's carried out the survey regarding all the testing and documentation on February 27-28, 2023. He was on board during the lay-by days and primarily engaged in the issuing of the certificates, approving plans, and documents.

6.6.4 Head office's inspection

The maritime security superintendent and safety manager (vDPA & vCSO) were present and monitored the execution of introduction and training, specific and general drills from Viking Line's perspective. Their observations and notes were considered as the internal quality control.

6.6.5 Estonian Port State Control inspection

The inspectors from the Estonian Transport Administration were invited to witness the reflagging and carry out port state inspection according to the Paris Memorandum of Understanding (Paris MoU). The belief that Estonian port state inspection is expected shortly after flag change led to the idea of involving them from the beginning so they could point out the issues needing to be improved from their perspective.

One inspector was accompanied by the chief mate during the ship's tour while the other inspector checked the relevant documentation. All the ship's certificates and some of the crew's certificates were requested for inspection. The manuals and plans were checked selectively. The safety drills were witnessed, and an additional steering gear exercise was carried out. No deficiencies were found, and everything was considered to be in good order.

6.6.6 Ship's pharmacy

The regulations concerning the ship's pharmacy and requirements for mandatory medicines can be different when comparing the different flag states. The pharmacist from the relevant service provider checked and replenished the medical cabinet with medicines and medical materials. A certificate stating that the medical store, drugs, and medical supplies of the lifeboats are in accordance with the Finnish laws was issued on the third lay-by day.

6.6.7 Sanitation control

The Urban Environment Division of City of Helsinki carried out the ship sanitation control on March 7, 2023, and Ship Sanitation Exemption Certificate was issued for six months. This inspection is periodical and always issued for a maximum length of six months.

7 Interviews

The interviews with the senior master of Viking XPRS and experienced Lloyd's register's surveyor Juha Kojo were conducted after the reflagging to find out how these two key persons evaluate the process, responsibilities, time limits and co-operation between different parties.

7.1 Interview with senior master Stefan Dahlström

- 1) Senior master Stefan Dahlstrom, you are one of the key persons regarding the reflagging process. The time from the relevant press release of Viking Line Abp and flag change was three months. Do you consider this to be sufficient for preparation?**

The time could have always been a little longer, but due to the fact that from the very beginning we had weekly meetings internally as well as with the authorities, we had all the knowledge within the group that was required.

- 2) How would you evaluate the co-operation and communication with Lloyd's, DNV and Traficom? With other parties like AVI?**

Co-operation with all the authorities worked very well. We received quick answers from them if the need occurred. With AVI also, we still have the MLC 2006 inspection unfinished, and they will visit the ship during the summer.

- 3) How do you evaluate the co-operation and communication with head office while preparing for flag change?**

I have to say that here too, co-operation worked very well, with quick responses.

- 4) Precise and adequate planning is essential. Was there something you or the head office personnel had not thought about and came as a surprise in a final stage of reflagging process?**

The biggest concern in my opinion was getting access to the DNV's website as soon as possible before the DNV prints an ISM/ ISPS interim certificate. It was through the head office that this had to be handled and it turned out to be more difficult than expected, but we got it in time.

- 5) Now, after the flag change, what would be the first actions if you had to participate in the same process again from the beginning?**

The only thing I would do differently today is to invite the authorities to the first meeting. Now we started with internal meetings and then we called the authorities to get the correct answers.

- 6) The lay-by days were very busy for all parties involved. Inspections, introductions, drills, training, and many other things were ongoing simultaneously. The ship was able to sail as scheduled, without delay. Do you think there should be more than three days planned for reflagging of passenger ship like Viking XPRS?**

In my opinion, the lay-by days were the hardest work for the crew, here we could have been 1–2 days longer but for the owner it costs a lot of money to have the ship lay-by. Thanks to the crew we managed to change the flag in a very short time.

- 7) The vessel is in traffic and certified by authorities, but what are the following actions now?**

We still have the MLC inspection and ISM/ ISPS audit to be carried out before September 8, 2023, everything else should be in order.

- 8) Do you think it is made relatively easy for shipowner to bring the vessel under the Finnish flag?**

Now when we have done it, I think it was relatively easy, but it is extremely important that you have the right people involved from the head office and authorities.

7.2 Interview with Lloyd's Register's surveyor Juha Kojo

- 1) Mr. Juha Kojo, you are the surveyor of Recognized Organization (RO) of the Lloyd's Register Finnish branch. For how long you have been working for that organization?**

Since September 17, 2001.

- 2) Do you consider the time frame of three months sufficient to prepare for flag change of a passenger vessel like Viking XPRS from the Lloyd's side? From the vessel's side?**

For LR it at least was sufficient, and we managed to have a meeting arranged between all parties, i.e., the owner, Flag and LR.

- 3) You, as a representative of the RO, are carrying out various onboard surveys needed for ship's certificates such as the Passenger Ship Safety Certificate, which includes testing of different systems. You were on board Viking XPRS on February 27-28, 2023, for that purpose. Did you have enough assistance and how would you evaluate the readiness for testing, checks, and performance of the crew?**

I used to send a schedule for testing of different systems (black out, lifeboat launching etc) in advance. Also, in this case the crew had received this schedule and proposed a time frame to carry out all the tests. This helped a lot with getting all the inspections done, the crew was well prepared and motivated to assist.

- 4) According to the agreement (2021) between the Traficom and its Appendix 1 (Degree of Authorization), the issuing of the majority of ship's certificates in Finland is delegated to the RO. Are there any certificates you think should be still handled by Traficom and not the RO? Please explain.**

I do not think so.

- 5) The Viking XPRS had the Lloyd's classification society under the Estonian flag too. What is the biggest change from Lloyd's perspective when the vessel starts to fly the Finnish flag?**

Estonia does not allow electronic certificates, but Finland does. This makes a huge difference, especially in cases like a change of flag, where all certificates are renewed.

- 6) Based on your experience, how would you evaluate the ship's personnel knowledge about the actions needed when changing to the Finnish flag?**

A bit hard to comment. I did not see any problems there.

- 7) Do you think it is made relatively easy for a shipowner to bring the vessel under the Finnish flag?**

I agree - The flag state has become even more flexible and issues the needed documents in time and is easy to be contacted.

8 Discussion and conclusion

The purpose of the thesis was to introduce the process of flag change of the passenger ship when entering the Finnish Ship Register. Reflagging does not necessarily mean crew change, but in the case that a large turnover among the crew is encountered, then the familiarization, introduction and training is crucial. The author witnessed the execution of a detailed plan to achieve the crew's safety standard before entering the line traffic in a limited time. The author believes that the plan was well made and provided theoretical and practical knowledge. Safety comes first and this was emphasized throughout the lay-by days.

During the interviews the surveyor from Lloyd's evaluated the three months for preparation to be sufficient, although the senior master assessed the period could have been longer. The author saw issues regarding documents and certificates started to clarify during the reflagging meeting and emphasizes arranging such meeting in the early stage of preparation. This could benefit all involved parties. The senior master expressed the same thought during the interview. The preparation of the documentation takes time and the earlier the issuing details are discussed, the better it is. The renewal of ship's certificates is a complex operation and the dialogue between the parties is extremely important. Juha Kojo mentioned the benefit of electronic certificates being allowed in Finland, while the senior master encountered problems to accessing the DNV's relevant webpage.

If the regulation is unreasonable or impractical for a vessel to follow, the ship can apply for an exemption from flag state. The state has the liberty to exempt the vessel if the laws and regulations permit. Applying for exemptions from Traficom may be more difficult if compared to ship's certificates. The exemptions are, contrary to standardized ship certificates, tailor-made documents and different flag states can have different views. For example, Traficom did not find the request of lifeboats being exempt from carriage of any fresh water justified, and the Estonian authorities did not consider it a problem during the previous years. The exemption to keep the watertight door WT 007 open at sea was not even applied by the ship because it became clear it would be overly complicated and not worth proceeding with during the reflagging meeting. It was surprising to the author that it should have not been permitted under the Estonian flag, and that there were no legal grounds allowing it. The author confirms that the lifeboats still contain the fishing tackle

even if the vessel is exempt from this regulation. The author also confirms that in navigation with stormy weather, the exempt watertight doors are kept closed according to the principles of good seamanship.

The author was impressed with the co-operation with Traficom and their desire to assist throughout the process. The fact that they participated the reflagging meeting with four individuals is in itself a sign of high interest. Juha Kojo also noted that Traficom is flexible, easily reachable and the documents are issued on time. Stefan Dahlström evaluates that the co-operation with all parties worked very well, and the author agrees with this statement.

Both interviewees found it to be relatively easy for a shipowner to bring the ships under the Finnish flag. The author notes that the interviews were conducted after the reflagging but does not speculate if the answers would have been different in the early stage of the process. Stefan Dahlström believes it is important to involve the right people from the beginning. The constant communication between the head office and the ship's management group is one of several prerequisites for a positive outcome.

As the key takeaways, the author concludes:

- 1) The meeting with RO, Traficom, the ship's management group and relevant office personnel should be arranged as early as possible to clarify the responsibilities and agree upon how to proceed.
- 2) The communication and co-operation between all parties ensures that important issues are not neglected. The scale of required actions is wide, and all problems should be addressed in the preparation stage.
- 3) The planning of the reflagging days must be detailed, precise and adequate. This is the only way to archive the expected goals in limited time.

The author emphasizes the motivation and participation of the crew in training and drills to improve personal skills and to increase ship-specific knowledge. This is what matters the most in the event of an emergency.

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Interviewees

Senior master of Viking XPRS Stefan Dahlström

Surveyor of Lloyd's Register Juha Kojo