

Regulations Regarding the Marine Equipment

*Issued pursuant to
Section 16, Paragraph two of the Maritime Administration and Marine Safety Law and
Section 7, Paragraphs one and two of the law On Conformity Assessment*

1. General Provisions

1. The Regulation prescribes the requirements for the marine equipment for which the approval of the flag State administration of the European Union is required in accordance with the international documents referred to in Sub-paragraph 2.14 of this Regulation, the procedures for the fulfilment of such requirements, the procedures for the inspections of marine equipment on Latvian ships, as well as the procedures by which certificates of conformity are issued to the persons involved who perform periodic examinations, maintenance, repair and modernisation of marine safety equipment on Latvian ships.

2. For the purpose of this Regulation:

2.1. recall – any measure aimed at achieving the return of marine equipment that has already been placed on board ships flying flags of European Union Member States (hereinafter – the European Union ship) or purchased with the intention of being placed on board the European Union ship;

2.2. persons involved – the manufacturer, the authorised representative, the importer and the distributor;

2.3. importer – any natural or legal person established within the European Union who places marine equipment from a third country on the European Union market;

2.4. withdrawal from the market – any measure aimed at preventing the marine equipment in the supply chain from being made available on the European Union market;

2.5. distributor – any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes marine equipment available on the market;

2.6. marine equipment – equipment falling within the scope of this Regulation in accordance with Paragraph 3 of this Regulation;

2.7. placing on the market – making available of the marine equipment for the first time on the European Union market;

2.8. Latvian ship – a ship flying the flag of Latvia and falling within the scope of the international conventions referred to in Sub-paragraph 2.13 of this Regulation;

2.9. notified body – a marine equipment conformity assessment body accredited by the national accreditation body and notified to the European Commission in accordance with the laws and regulations regarding the procedures for establishing the Notification Commission, and also procedures by which the Commission takes a decision and notifies the European Commission of the conformity assessment bodies which carry out the conformity assessment in the regulated sphere, or other marine equipment conformity assessment body notified by a European Union Member State or the European Economic Area;

2.10. making available on the market – any supply of marine equipment on the European Union market in the course of a commercial activity, whether in return for payment or free of charge;

2.11. authorised representative – any natural or legal person established within the European Union who has received a written mandate from a manufacturer to perform specified tasks on its behalf;

2.12. manufacturer – any natural or legal person who manufactures marine equipment or has marine equipment designed or manufactured on its behalf, and markets that equipment under its name or trademark;

2.13. international conventions – the following conventions, together with their protocols and codes of mandatory application, adopted under the auspices of the International Maritime Organization (IMO), which have entered into force and which lay down specific requirements for the approval by the flag State of equipment to be placed on board ships:

2.13.1. the 1972 Convention on the International Regulations for Preventing Collisions at Sea (COLREG Convention);

2.13.2. the 1973 International Convention for the Prevention of Pollution from Ships and the 1978 protocol thereof (MARPOL Convention);

2.13.3. the 1974 International Convention for the Safety of Life at Sea and its Protocol of 1988 (SOLAS Convention);

2.14. international instruments – the international conventions, together with the resolutions and circulars of the IMO giving effect to those conventions in their up-to-date version, and the testing standards;

2.15. wheel mark – the symbol or electronic tag referred to in Chapter 3 of this Regulation;

2.16. testing standards – the testing standards for marine equipment set by:

2.16.1. the International Maritime Organization (IMO);

2.16.2. the International Organization for Standardization (ISO);

2.16.3. the International Electrotechnical Commission (IEC);

2.16.4. the European Committee for Standardization (CEN);

2.16.5. the European Committee for Electrotechnical Standardization (*Cenelec*);

2.16.6. the International Telecommunication Union (ITU);

2.16.7. the European Telecommunications Standards Institute (ETSI);

2.16.8. the European Commission;

2.16.9. the regulatory authorities recognised in the mutual recognition agreements to which the European Union is a party.

3. The Regulation shall apply to the equipment placed or intended to be placed on board a European Union ship and for which the approval of the flag State administration of the European Union Member State is required by the international instruments, regardless of whether the ship is situated in the European Union at the time when it is fitted with the equipment.

4. The Maritime Safety Inspectorate (hereinafter – the Inspectorate) of the State stock company Maritime Administration of Latvia (hereinafter – the Maritime Administration of Latvia) or a recognised ship classification company with which the Maritime Administration of Latvia has entered into an authorisation contract (hereinafter – the recognised organisation) shall ascertain that the equipment placed on a Latvian ship conforms to the requirements of this Regulation, and shall issue or update the ship safety certificates specified in international conventions. Upon carrying out the activities specified in this Regulation market, the supervision of marine equipment shall be ensured by the Inspectorate (on Latvian ships) and

the Consumer Rights Protection Centre (hereinafter both referred to as – the market surveillance authorities).

5. If marine equipment conforms to the requirements of this Regulation, it shall not be prohibited to sell it in Latvia or install on board a Latvian ship, nor to refuse to issue the certificates relating thereto to the ships flying Latvian flag, or to renew the abovementioned certificates.

6. Prior to issuance of ship safety certificates the State stock company Electronic Communications shall issue a ship radio station permit in accordance with the laws and regulations regarding radio frequency assignment use permits.

2. Assessment of Marine Equipment upon Re-registration of a Ship in the Latvian Ship Register

7. If a ship is registered outside the European Union and it is intended to be registered in the Latvian Ship Register, prior to registration the Inspectorate or a recognised organisation shall examine whether the actual condition of marine equipment corresponds to the safety certificates of the ship and whether it bears the wheel mark, as well as whether the Inspectorate considers the marine equipment as equivalent and whether it has been certified in accordance with this Regulation.

8. In cases where the date of installation on board of marine equipment cannot be established, the Inspectorate may determine the satisfactory requirements of equivalence, taking into account the relevant international instruments.

9. Unless the marine equipment either bears the wheel mark or the Inspectorate considers it to be equivalent, it shall be replaced.

10. Marine equipment which is considered equivalent by the Inspectorate, shall be issued a certificate which shall at all times be carried with the equipment. The abovementioned certificate shall give permission for the equipment to be retained on board the ship and impose any restrictions or lay down any provisions relating to the use of the equipment.

3. The wheel mark

11. Marine equipment the compliance of which with the requirements laid down in this Regulation has been demonstrated in accordance with the relevant conformity assessment procedures shall have the wheel mark affixed to it (Annex 1). Use of the wheel mark shall be subject to the general principles set out in paragraphs 1 and 3 to 6 of Article 30 of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93, where any reference to the CE marking shall be construed as a reference to the wheel mark.

12. The wheel mark shall be affixed, taking into account the following conditions:

12.1. the wheel mark shall be affixed visibly, legibly and indelibly to the product (unit of the marine equipment) or to its data plate and, where relevant, embedded in its software. Where that is not possible or not warranted due to the nature of the product, it shall be affixed to the packaging and to the accompanying documents;

12.2. the wheel mark shall be affixed at the end of the production phase;

12.3. the wheel mark shall be followed by the identification number of the notified body, where that body is involved in the production control phase, and by the year in which the mark is affixed;

12.4. the identification number of the notified body shall be affixed by the body itself or, under its instructions by the manufacturer or the manufacturer's authorised representative.

4. Obligations of Persons Involved

4.1. Obligations of Manufacturers

13. An importer or distributor shall be considered a manufacturer for the purposes of this Regulation and shall be subject to the obligations of the manufacturer under this Chapter, where it places marine equipment on the market under its name or trademark or modifies marine equipment already placed on the market in such a way that compliance with the requirements of this Regulation may be affected.

14. By affixing the wheel mark, manufacturers shall assume the responsibility for guaranteeing that the marine equipment to which the mark is affixed has been designed and manufactured in accordance with the technical specifications and standards laid down in this Regulation.

15. Manufacturers shall draw up the required technical documentation and ensure that the applicable conformity assessment procedures are carried out.

16. Where the compliance of marine equipment with the applicable requirements has been demonstrated by the conformity assessment procedures laid down in this Regulation, manufacturers shall draw up an EU declaration of conformity in Latvian and English by including therein the information referred to in Annex 2 to this Regulation which shall be constantly updated by the manufacturer and affix the wheel mark in accordance with Chapter 3 of this Regulation. Upon drawing up the EU declaration of conformity, manufacturers assume the responsibility and obligations laid down in this Regulation.

17. Manufacturers shall keep the technical documentation and the EU declaration of conformity for at least 10 years after the wheel mark has been affixed, but in no case for a period shorter than the expected service life of the specific marine equipment.

18. Manufacturers shall establish procedures to ensure the conformity within the series production. Changes in marine equipment design or characteristics and changes in international documents, on the basis of which the conformity of marine equipment is declared, shall be taken into account by manufacturers. When necessary in accordance with Annex 2 to this Regulation, manufacturers shall ensure that a new conformity assessment is carried out.

19. Manufacturers shall ensure that their products bear a type, batch or serial number or other element of identification. Where the size or nature of the product does not allow it, manufacturers shall ensure that the required information is provided on the packaging or in a document accompanying the product or both, if necessary.

20. Manufacturers shall indicate their name, registered trade name or registered trade mark and the address at which they can be contacted on the product or, where that is not possible, on its packaging or in a document accompanying the product or both, if necessary.

21. Manufacturers shall ensure that the product is accompanied by instructions and all information necessary for the safe installation on board and safe use of the product, including information on the limitations of use, if any, that can be easily understood by the users, together with any other documentation required by the international documents or testing standards.

22. Manufacturers who consider or have reason to believe that a product to which they have affixed the wheel mark is not in conformity with the applicable design, construction and performance requirements and with the testing standards implemented in accordance with this Regulation shall immediately take the necessary corrective measures to bring that product into conformity, to withdraw it from the market or to recall it, if appropriate. Where the product presents a risk, the manufacturer shall immediately inform the Consumer Rights Protection Centre thereon by providing details of the non-compliance and of any corrective measures taken.

23. Upon a justified request from a market surveillance authority, the manufacturer shall promptly provide it with all the information and documentation necessary to demonstrate the conformity of the product, in Latvian or in another language acceptable to that authority, grant that authority access to their premises for market surveillance purposes in accordance with Article 19 of Regulation (EC) No 765/2008 and submit samples or provide access to samples for the market surveillance authority. The manufacturer shall, upon a request of the market surveillance authority, cooperate with that authority on any measures taken to eliminate the risks posed by products which it has placed on the market.

4.2. Obligations of Authorised Representatives

24. A manufacturer who is not located in the territory of any European Union Member State shall, by a written mandate, appoint an authorised representative for the European Union and shall indicate in the mandate the name, given name and surname of the authorised representative and the address at which it can be contacted.

25. The obligations referred to in Paragraphs 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of this Regulation and the drawing-up of technical documentation shall not form a part of the authorised representative's mandate.

26. An authorised representative shall perform the tasks specified in the mandate received from the manufacturer. The mandate shall allow the authorised representative to fulfil at least the following obligations:

26.1. to keep the EU declaration of conformity and the technical documentation for at least 10 years after the wheel mark has been affixed, but in no case for a period shorter than the expected service life of the specific marine equipment, by providing access to it for the market surveillance authority;

26.2. upon a justified request from the market surveillance authority, provide it with all the information and documentation necessary to demonstrate the conformity of a product;

26.3. to cooperate with the market surveillance authority on any measures taken to eliminate the risks posed by products covered by its mandate.

4.3. Obligations of Other Persons Involved

27. Importers shall indicate their name, registered trade name or registered trade mark and the address at which they can be contacted on the product or, where that is not possible, on its packaging or in a document accompanying the product or both, if necessary.

28. Importers and distributors shall, upon a justified request from the market surveillance authority, provide it with all the information and documentation necessary to demonstrate the conformity of a product in Latvian or in another language acceptable to that authority. Upon a request from the market surveillance authority, the importers and distributors shall cooperate with that authority on any measures taken to eliminate the risks posed by products which they have placed on the market.

29. For a period of at least 10 years after the wheel mark has been affixed, but in no case for a period shorter than the expected service life of the specific marine equipment, the person involved shall keep and, upon a request, provide the market surveillance authority with information on:

29.1. any person involved who has delivered a product to it;

29.2. any person involved to whom they have delivered a product.

5. Conformity Assessment of the Equipment and Obligations of Notified Bodies

5.1. Conformity Assessment Procedures

30. A manufacturer or an authorised representative thereof shall assess the conformity of a unit of marine equipment in accordance with the conformity assessment procedures laid down in Annex 2 to this Regulation.

31. Where the EC type-examination (module B) is to be used, before being placed on the market, all marine equipment shall be subject to one of the following procedures:

31.1. production-quality assurance (module D);

31.2. product-quality assurance (module E);

31.3. product verification (module F).

32. Where the sets of marine equipment are produced individually or in small quantities and not in series or mass quantities, the conformity assessment procedure may be the EC unit verification (module G).

33. The conformity assessment procedures of equipment referred to in Paragraph 30 of this Regulation shall be carried out by the notified bodies conforming to the requirements referred to in Annex 3 to this Regulation.

5.2. European Union Declaration of Conformity

34. When appropriate marine equipment is placed on board a Latvian ship, a copy of the EU declaration of conformity for the relevant equipment shall be appended thereto, and it shall be kept on board of a ship until the equipment is removed. If the EU declaration of conformity is not in English, translation into English shall be appended thereto.

35. A copy of the EU declaration of conformity shall be handed by the manufacturer to the notified body or to the bodies which have carried out the relevant conformity assessment procedures.

5.3. Subsidiaries of Notified Bodies and Subcontracting

36. Where the notified body subcontracts specific tasks connected with conformity assessment or has recourse to a subsidiary, it shall ensure that the subcontractor or the

subsidiary meets the requirements set out in Annex 3 to this Regulation and shall inform the Ministry of Economics accordingly.

37. The notified body shall take full responsibility for the measures performed by a subcontractor or subsidiary wherever these are established.

38. Subcontracts may be entered into or a subsidiary may be used only when the client agrees to it.

39. The notified body shall keep the relevant documents concerning the assessment of the qualifications of the subcontractor or the subsidiary and the work carried out by such subcontractor or subsidiary under this Regulation, and ensure their availability to the Ministry of Economics.

5.4. Operational Obligations of Notified Bodies

40. The notified body shall carry out conformity assessments or ensure that it is carried out in accordance with the procedures provided for in Sub-chapter 5.1 of this Regulation.

41. Where the notified body finds that the obligations laid down in Sub-chapter 4.1 of this Regulation have not been met by a manufacturer, it shall require that manufacturer to take appropriate corrective measures without delay and shall not issue a conformity certificate.

42. Where, in the course of monitoring conformity after the issue of a conformity certificate, a notified body finds that a product no longer complies, it shall require the manufacturer to take appropriate corrective measures without delay and shall suspend or withdraw the certificate, if necessary. Where corrective measures are not taken or do not have the required effect, the notified body shall restrict, suspend or withdraw the certificate, as appropriate.

5.5. Obligation of Notified Bodies to Provide Information

43. The notified body shall inform the Ministry of Economics of the following:

43.1. any refusal to issue a certificate of conformity, restriction, suspension or withdrawal of a certificate of conformity;

43.2. any circumstances affecting the scope and conditions of notification;

43.3. any request for information which they have received from the market surveillance authorities regarding the conformity assessment activities;

43.4. upon a request, of the conformity assessment activities performed within the scope of notification and any other activity performed, including cross-border activities and entering into a subcontract.

44. The notified body shall, upon a request, provide the European Commission and other European Union Member States with relevant information concerning the issues relating to negative and positive conformity assessment results. The notified body shall provide the other notified bodies carrying out conformity assessment activities of the same products with information on negative and, upon a request, positive conformity assessment results.

6. Market Surveillance

6.1. General Provisions

45. Where the Inspectorate, in the course of flag State supervision, finds that the marine equipment of a Latvian ship does not conform to the applicable requirements or may present a risk to maritime safety, to health or to the environment, and it is made available on the market of Latvia, it shall inform the Consumer Rights Protection Centre by providing a statement. Where the recognised organisation, in the course of flag State supervision, finds that the marine equipment of a Latvian ship may present a risk to maritime safety, to health or to the environment, it shall inform the Inspectorate.

46. Market surveillance of the marine equipment market shall be carried out by a market surveillance authority in accordance with the laws and regulations regarding accreditation and market surveillance requirements in relation to the sale of products and this Regulation.

47. Surveillance of the marine equipment requirements referred to in this Regulation shall be carried out by the Consumer Rights Protection Centre according to the priorities specified in the annual action plan of market surveillance, as well as by efficiently using the resources assigned to the authority.

48. Market surveillance may include documentary inspections, as well as inspections of marine equipment which bears the wheel mark, whether or not it has been placed on board ships.

49. A market surveillance authority, upon implementing the market surveillance in accordance with this Regulation and the laws and regulations regarding the accreditation and market surveillance requirements in relation to sale of products, according to the competence, is entitled to request and receive, free of charge, a sample of marine equipment, to perform control purchases for the acquisition of a sample of marine equipment, and to organise laboratory or other expert-examination of marine equipment in order to determine the conformity of marine equipment with the requirements of this Regulation, if it is provided for in the annual surveillance and control programme approved by the relevant authority and there are suspicions of the non-conformity of marine equipment with the applicable requirements or a complaint has been received.

50. After the market surveillance authority takes the final decision on the conformity of marine equipment with the requirements or it is detected in the course of expert-examination that marine equipment conforms to the requirements, the sample shall be returned if it has not been destroyed or used up during the expert-examination.

51. The Inspectorate shall cooperate with the Consumer Rights Protection Centre on any measures taken to eliminate risks that may be posed by marine equipment that has already been placed on board a Latvian ship or that is on board a Latvian ship, if it is made available on the market of Latvia.

52. Inspections of marine equipment already placed on board a Latvian ship shall be limited to such extent as can be carried out by the Inspectorate while the equipment concerned remains fully functional on board.

53. The Inspectorate shall, upon a request of the Consumer Rights Protection Centre, ensure it with access to international documents and the testing standards stipulated by the International Maritime Organization (IMO) applicable in accordance with this Regulation.

6.2. Procedures for Action on the Marine Equipment Offered in Latvia which may Present a risk to Maritime Safety, Health or the Environment

54. If the Consumer Rights Protection Centre has recognised the marine equipment made available on the market of Latvia as non-conforming with the requirements of this Regulation or as such which may present risks to maritime safety, health or the environment, the Consumer Rights Protection Centre shall assess the marine equipment in accordance with the procedures laid down in this Regulation. Persons involved shall cooperate with the Consumer Rights Protection Centre.

55. If in the course of the assessment referred to in Paragraph 54 of this Regulation the Consumer Rights Protection Centre detects that marine equipment does not conform with the requirements laid down in this Regulation or may present risks to maritime safety, health or the environment, it shall immediately request the relevant person involved to take corrective measures in order to achieve conformity of marine equipment with the requirements of this Regulation within the time period stipulated by the Consumer Rights Protection Centre which is commensurate to risks, to withdraw marine equipment from the market or to recall it. Such information shall be notified to the relevant notified body. Article 21 of Regulation No 765/2008 shall apply to the measures referred to in this Paragraph.

56. The person involved shall ensure that all appropriate corrective measures are taken in respect of all the products concerned that it has made available on the market throughout the European Union or, as the case may be, placed or delivered to be placed on board European Union ships.

57. Where the relevant person involved does not take adequate corrective measures within the period prescribed Paragraph 55 of this Regulation, or otherwise fails to meet its obligations under this Regulation, the Consumer Rights Protection Centre shall take all appropriate provisional measures to prohibit or restrict the marine equipment from being made available on the market of Latvia and to withdraw the product from the market of Latvia or to recall it.

6.3. Cooperation with the European Commission and European Union Safeguard Procedure

58. Where the Consumer Rights Protection Centre considers that non-compliance is not restricted to the territory of Latvia or to ships flying Latvian flag, it shall inform the European Commission and the European Union Member States, by means of the internal information exchange system managed by the European Commission, on the results of the evaluation carried out under Paragraph 54 of this Regulation and of the measures which they have required the person involved to take, in accordance with the laws and regulations regarding conformity assessment.

59. The Consumer Rights Protection Centre shall inform the European Commission and the European Union Member States, without delay, of the measures carried out under Paragraph 57 of this Regulation. The abovementioned information shall include data necessary for the identification of the non-compliant marine equipment, the origin of the product, the type of the alleged non-compliance and the risk involved, the measures laid down by the Consumer Rights Protection Centre and the time period for their implementation, the arguments put forward by the person involved, as well as indicate whether the non-compliance is due to either:

59.1. failure of the marine equipment to comply with the applicable design, construction and performance requirements;

59.2. non-compliance with the testing standards during the conformity assessment procedure;

59.3. shortcomings in the testing standards.

60. Where, within four months from the provision of the information referred to in Paragraph 59 of this Regulation, no objection has been raised by a European Union Member State or by the European Commission against the provisional measures taken in accordance with Paragraph 57 of this Regulation, that measures shall be deemed justified. The market surveillance authority shall ensure that appropriate restrictive measures regarding the respective marine equipment, such as withdrawal of the product from their market, are taken without delay.

61. If the measure taken by the market surveillance authority is considered unjustified by the European Commission, the market surveillance authority shall cancel it.

62. Where the procedure has been initiated by another European Union Member State, the market surveillance authority shall without delay inform the European Commission and the other European Union Member States about any measures implemented and provide any additional information at its disposal relating to the non-compliance of the respective marine equipment and, in the event of disagreement with the notified national measure, inform about its objections.

63. If a restrictive measure implemented by any European Union Member State is considered justified by the European Commission, the market surveillance authority shall take the measures necessary to ensure that the non-compliant marine equipment is withdrawn from the market, and, where necessary, recalled. The market surveillance authority shall inform the European Commission accordingly.

6.4. Formal Non-compliance

64. In addition to the cases referred to in Sub-chapter 6.2 of this Regulation, where the market surveillance authority makes one of the following findings, it shall require the person involved to eliminate the non-compliance concerned:

64.1. the wheel mark has been affixed in violation of the requirements referred to in Chapter 3 of this Regulation;

64.2. the wheel mark has not been affixed;

64.3. the EU declaration of conformity has not been drawn up;

64.4. the EU declaration of conformity has not been drawn up correctly;

64.5. technical documentation is either not available or not complete;

64.6. the EU declaration of conformity has not been sent to the ship.

65. The EU declaration of conformity accompanying the marine equipment manufactured in Latvia shall be drawn up in accordance with Annex 4 to this Regulation.

66. Where the non-compliance referred to in Paragraph 64 of this Regulation persists, the market surveillance authority shall take all appropriate measures to restrict or to prohibit the marine equipment being made available on the market or to ensure that it is recalled or withdrawn from the market.

7. Exemptions Based on Technical Innovation

67. The Inspectorate may permit the placement on board a Latvian ship of a marine equipment which does not comply with the conformity assessment procedures referred to in

Annex 2 to this Regulation if it is established by trial or inspections that such equipment is as efficient as equipment conforming to these procedures.

68. Upon allowing the placement on board of the equipment referred to in Paragraph 67 of this Regulation, the Inspectorate shall ensure that in no way discrimination between marine equipment produced in Latvia and marine equipment produced in other States is permitted.

69. The Inspectorate shall issue a certificate on the basis of which the permission for the marine equipment referred to in Paragraph 67 of this Regulation to be placed on board a ship is given, and also any restrictions or conditions for the use of such equipment are imposed. The aforementioned certificate must be carried on the ship.

70. Where the Inspectorate allows the marine equipment referred to in Paragraph 67 of this Regulation to be placed on board a Latvian ship, the Inspectorate shall without delay inform the Ministry of Transport by providing information on trials, examinations and conformity assessment procedures. The Ministry of Transport shall inform other European Union Member States and the European Commission by including in the report information on trials, examinations and conformity assessment procedures.

71. Where a ship which is registered in the ship register of another European Union Member State and the marine equipment on board of which is referred to in Paragraph 67 of this Regulation is being registered in the Latvian Ship Register, prior to the registration of the ship the Inspectorate may take the measures which may include tests and practical demonstrations, to ensure that the equipment referred to in Paragraph 67 of this Regulation is at least as effective as equipment which does comply with the conformity assessment procedures.

8. Exemptions for Testing and Evaluation Purposes

72. The Inspectorate may permit the placement on board a Latvian ship of the marine equipment which does not comply with the conformity assessment procedures or which is not referred to in Paragraph 67 of this Regulation to examine or assess the equipment, if the following conditions are complied with:

72.1. the Inspectorate has issued a certificate on the basis of which the permission for the equipment to be placed on board the Latvian ship is given, and also restrictions and conditions for the use of such equipment are imposed. The aforementioned certificate must at all times be carried on the ship;

72.2. the Inspectorate shall determine the shortest possible validity time period for the certificate, which can be considered as sufficient for carrying out the inspection of the equipment;

72.3. the equipment to be inspected meets the requirements laid down in the laws and regulations regarding the use of radio spectrum;

72.4. the equipment which meets the requirements of this Regulation and instead of which the equipment to be inspected is used remains on board the ship in working condition and ready for use.

73. The equipment which has been placed on board in accordance with Paragraph 72 of this Regulation shall not be used instead of such equipment which conforms to the requirements of this Regulation, as well as does not replace such equipment.

9. Exemptions in Exceptional Circumstances

74. Where the equipment on board a ship must be replaced in a port which is located outside the European Union and where in exceptional circumstances, which the shipowner shall justify to the Inspectorate, the equipment which bears the wheel mark cannot be installed in reasonable time and for a reasonable price, other marine equipment may be placed on board a Latvian ship, if the following conditions are complied with:

74.1. the marine equipment placed on board is accompanied by documentation issued by a Member State of the International Maritime Organization (IMO) which is a party to the relevant conventions, and certifying compliance with the relevant International Maritime Organization (IMO) requirements;

74.2. the Inspectorate is informed on the type and characteristics of the equipment;

74.3. the Inspectorate, at the earliest opportunity, ensures that the equipment, along with its testing documentation, complies with the requirements of the international documents and of this Regulation;

74.4. the equipment meets the requirements laid down in the laws and regulations regarding the use of radio spectrum.

75. Where it has been demonstrated that the marine equipment bearing the wheel mark is not available on the market, the Inspectorate may permit the placement of other marine equipment on board in conformity with the following conditions:

75.1. the marine equipment complies, as much as possible, with the requirements referred to in Paragraph 4 of this Regulation and conformity assessment procedures;

75.2. the marine equipment shall be accompanied by an interim certificate of approval issued by the Inspectorate or by another European Union Member State by stating the following:

75.2.1. the equipment bearing the wheel mark which the certified equipment is due to replace;

75.2.2. the exact circumstances under which the certificate of approval has been issued, and an indication that the equipment bearing the wheel mark is not available on the market;

75.2.3. the exact design, construction and performance requirements against which the equipment has been approved by the certifying European Union Member State;

75.2.4. the conformity assessment procedures applied within the approval procedures, if any.

76. If the Inspectorate issues an interim certificate of approval, it shall inform the Ministry of Transport without delay. The Ministry of Transport shall inform the European Commission.

10. Periodic Examinations of Marine Safety Equipment

77. The Inspectorate shall issue a certificate of conformity (Annex 5) to a merchant which carries out periodic examinations of marine safety equipment, as well as its maintenance, repair and modernisation.

78. For receipt of a certificate of conformity the merchant shall submit the following documents to the Inspectorate:

78.1. the copy of the registration certificate of a merchant;

78.2. full set of technical and operational documentation of the equipment;

78.3. the description of the production technology and quality control system;

78.4. the list of the staff appointed for the performance of work and quality control, copies of their qualification documents and certificates;

78.5. a sample of labelling of the equipment and a sample of the accompanying documents to be issued;

78.6. the recognition certificate of the manufacturer of the equipment to be examined (if it is requested by the manufacturer of equipment).

79. After receipt of the submission the Inspectorate shall inspect the merchant in order to ascertain its conformity with the requirements laid down in the laws and regulations regarding maritime safety inspections, as well as with Resolution A.761(18) of the Assembly of the International Maritime Organization (IMO) of 4 November 1993, Recommendation on Conditions for the Approval of Servicing Stations for Inflatable Liferafts, and Resolution 61(67) of the Maritime Safety Committee of the International Maritime Organization (IMO) of 5 December 1996, Adoption of the International Code for Application of Fire Test Procedures.

80. Inspection equipment and measuring devices of the merchant which are subject to State metrological control, are tested in accordance with the laws and regulations regarding the uniformity of measurements.

81. In carrying out recognition of equipment, products, materials or a technological process, the Inspectorate shall take into account the statements of the merchant, classification companies, and foreign maritime administrations.

82. The Inspectorate shall prepare a certificate of conformity, indicating therein:

82.1. the name, address and registration number of the merchant;

82.2. technical documentation which provides information on the design, manufacture and operation of marine equipment and according to which a service is provided or production is carried out, as well as indicate who has approved the technical documentation;

82.3. the name and designation of the marine equipment or service provided;

82.4. the time period of validity of the certificate of conformity.

83. The certificate of conformity shall be issued for a period of up to five years. An inspector of the ship control of the Inspectorate shall approve the certificate of conformity each year by carrying out an inspection and drawing up an inspection report. The conformity with the conditions for manufacture and the types of services provided shall be indicated in the report.

84. A certificate of conformity shall be cancelled if it is detected in the course of an inspection that the activity, equipment, materials or products of the merchant do not conform with the requirements referred to in the SOLAS Convention and Paragraph 79 of this Regulation.

11. Closing Provision

85. The Cabinet Regulation No. 198 of 14 March 2006, Regulations Regarding the Equipment of Sea-going Ships (*Latvijas Vēstnesis*, 2006, No. 47; 2009, No. 103; 2010, No. 41; 2011, No. 162; 2012, No. 154; 2013, No. 158; 2014, No. 167; 2015, No. 93, 252), is repealed.

Informative Reference to the European Union Directive

The Regulation contains legal norms arising from Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC.

Prime Minister

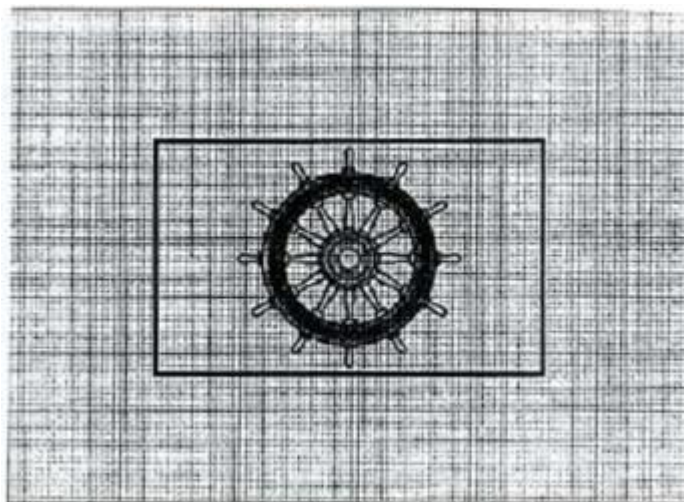
Māris Kučinskis

Minister for Transport

Uldis Augulis

Wheel Mark

1. The mark of conformity of the wheel mark must take the following form:



2. If the wheel mark is reduced or enlarged the proportions given in the drawing indicated in Paragraph 1 of this Annex must be respected.

3. The various components of the wheel mark must have substantially the same vertical dimension, which may not be less than 5 mm.

4. The minimum height referred to in Paragraph 3 of this Annex may be waived for small devices.

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Conformity Assessment Procedures

I. Module B. EC type-examination

1. EC type-examination is the part of a conformity assessment procedure in which a notified body examines the technical design of marine equipment, and verifies and certifies that the technical design of the marine equipment meets the requirements.
2. EC type-examination may be carried out in either of the following manners:
 - 2.1. examination of a specimen of the complete product, representative of the production (production type);
 - 2.2. assessment of the adequacy of the technical design of the marine equipment through the examination of the technical documentation and supporting evidence referred to in Paragraph 3 of this Annex, plus examination of specimens, representative of the production envisaged, of one or more critical parts of the product (combination of production type and design type).
3. The manufacturer shall submit an application for EC type-examination to a single notified body of its choice. The application shall include:
 - 3.1. the name and address of the manufacturer and, if the application is submitted by an authorised representative, its name and address as well;
 - 3.2. a written declaration that the same application has not been submitted to any other notified body;
 - 3.3. the technical documentation. The technical documentation shall make it possible to assess the conformity of the marine equipment with the applicable requirements of the international instruments as referred to in Paragraph 4 of this Regulation, and shall include an adequate analysis and assessment of the risks. The technical documentation shall specify the applicable requirements and shall cover, as far as relevant for the assessment, the design, manufacture and operation of the marine equipment. The technical documentation shall contain, wherever applicable, at least the following elements:
 - 3.3.1. general description of the marine equipment;
 - 3.3.2. conceptual design and manufacturing drawings and schemes of components, sub-assemblies, circuits, etc.;
 - 3.3.3. descriptions and explanations necessary for the understanding of those drawings and schemes and of the operation of the marine equipment;
 - 3.3.4. a list of the requirements and testing standards which are applicable to the marine equipment concerned in accordance with this Regulation, together with a description of the solutions adopted to meet those requirements;
 - 3.3.5. results of design calculations made, examinations carried out, etc.;
 - 3.3.6. test reports;
 - 3.4. the specimens representative of the production. The notified body may request further specimens if needed for carrying out the test programme;
 - 3.5. the evidence certifying the compliance of the technical design solution. This evidence shall mention all the documents that have been used. If necessary, the evidence shall

include the results of tests carried out by the appropriate laboratory of the manufacturer, or by another testing laboratory on the manufacturer's behalf and under its responsibility.

4. The notified body shall:

4.1. regarding the marine equipment, examine the technical documentation and evidence to assess the compliance of the technical design of the marine equipment;

4.2. regarding the specimen or specimens, verify that the specimen has been manufactured in conformity with the technical documentation, and establish the elements which have been designed in accordance with the applicable provisions of the relevant requirements and testing standards, as well as the elements which have been designed without applying the relevant provisions of those standards;

4.3. carry out appropriate examinations and tests, or ensure that there are carried out, in accordance with this Regulation;

4.4. agree with the manufacturer on the location where the examinations and tests will be carried out.

5. The notified body shall draw up an assessment report in which the measures implemented in accordance with Paragraph 4 of this Annex and their outcomes shall be indicated. The notified body shall release the content of that report, in full or in part, only with the consent of the manufacturer.

6. Where the type meets the requirements of the specific international documents that apply to the relevant marine equipment, the notified body shall issue an EC type-examination certificate to the manufacturer. The certificate shall contain the name and address of the manufacturer, the conclusions of the examination, the conditions (if any) for its validity and the necessary data for the identification of the approved type. The certificate may have one or more annexes.

7. The certificate and its annexes shall contain all relevant information that allows the assessment of the conformity of manufactured products with the examined type and the in-service inspection.

8. Where the type does not satisfy the applicable requirements of the international documents, the notified body shall refuse to issue an EC type-examination certificate and shall inform the applicant accordingly by providing detailed reasons for its refusal.

9. If the approved type no longer complies with the applicable requirements, the notified body shall determine whether further testing or a new conformity assessment procedure is necessary.

10. The manufacturer shall inform the notified body that holds the technical documentation relating to the EC type-examination certificate about all modifications to the approved type that may affect the conformity of the marine equipment with the requirements of the relevant international documents or the conditions for validity of the certificate. Such modifications shall require additional approval in the form of an addition to the original EC type-examination certificate.

11. Each notified body shall inform the Ministry of Economics on the EC type-examination certificates and/or any additions thereto which it has issued or cancelled, and shall, periodically or upon a request of the Ministry of Economics, make available the list of certificates and/or any additions thereto refused, suspended or otherwise restricted.

12. Each notified body shall inform the other notified bodies concerning the EC type-examination certificates and/or any additions thereto which it has refused, cancelled, suspended or otherwise restricted, and, upon a request, concerning the certificates and/or additions thereto which it has issued.

13. The European Commission, the EU Member States and the other notified bodies may, upon a request, obtain a copy of the EC type-examination certificates and/or additions thereto. Upon a request, the European Commission and the Member States may obtain a copy of the technical documentation and the results of the examinations carried out by the notified body. The notified body shall keep a copy of the EC type-examination certificate, its annexes and additions, as well as the technical file including the documentation submitted by the manufacturer, until the expiry of the validity of the certificate.

14. The manufacturer shall keep a copy of the EC type-examination certificate, its annexes and additions together with the technical documentation for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment.

15. The manufacturer's authorised representative may submit the application referred to in Paragraph 3 of this Annex and fulfil the obligations set out in Paragraphs 9 and 14 of this Annex, provided that they are specified in the mandate.

II. Module D. Conformity to Type Based on Quality Assurance of the Production Process

16. Conformity to type based on quality assurance of the production process is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in Paragraphs 17 and 20 of this Annex, and ensures and declares on its sole responsibility that the marine equipment concerned is in conformity with the type described in the EC type-examination certificate and that it satisfies the requirements of the international instruments that apply to it.

17. The manufacturer shall use an approved quality system for production, final product inspection and testing of the products concerned as specified in Paragraph 18 of this Annex. The manufacturer shall be subject to surveillance as specified in Paragraph 19 of this Annex.

18. Quality assurance:

18.1. the manufacturer shall submit an application for the assessment of the quality assurance system of the marine equipment concerned to the notified body of its choice. The application shall include:

18.1.1. the name and address of the manufacturer and, if the application is submitted by an authorised representative, its name and address as well;

18.1.2. a written declaration that the same application has not been submitted to any other notified body;

18.1.3. the information on the envisaged marine equipment category;

18.1.4. the documentation of the quality assurance system;

18.1.5. the technical documentation of the approved type and a copy of the EC type-examination certificate;

18.2. the quality assurance system shall ensure that the products are in conformity with the type described in the EC type-examination certificate and that they comply with the requirements of the applicable international documents. The principles, requirements and provisions to which the manufacturer follows shall be documented in a systematic manner in

the form of action plans, procedures and instructions. The documentation of the quality assurance system shall allow a consistent interpretation of quality programmes, plans, manuals and records. The documentation of the quality assurance system shall contain a description of:

18.2.1. the quality assurance objectives and the organisational structure, obligations and powers of the management with regard to the product quality assurance;

18.2.2. the corresponding production, quality control and quality assurance means, procedures and systematic measures that will be implemented;

18.2.3. the inspections and tests that will be carried out before, during and after manufacture, and the frequency with which they will be carried out;

18.2.4. the data on quality, such as inspection reports and test data, calibration data, reports on the qualification of the personnel, etc.;

18.2.5. the means for monitoring the achievement of the required product quality and the effective operation of the quality assurance system;

The notified body shall assess the quality assurance system to determine whether it complies with the requirements referred to in Sub-paragraph 18.2 of this Annex. The auditing team must have experience in quality assurance management systems, and at least one member thereof must have experience in the evaluation of the relevant marine equipment and technology and knowledge of the applicable requirements of the international documents. The audit shall assess the manufacturer's premises. The auditing team shall review the technical documentation referred to in the Sub-paragraph 18.1 of this Annex in order to verify the manufacturer's ability to identify the relevant requirements of the international instruments and to carry out the necessary examinations with a view to ensure the compliance of the product with those requirements. The decision shall be notified to the manufacturer. The decision shall contain the conclusions of the audit and a justified assessment;

18.4. the manufacturer shall undertake to fulfil the obligations arising out of the quality assurance system as approved and to maintain it so that it remains adequate and efficient;

18.5. the manufacturer shall inform the notified body that approved the quality assurance system on any changes intended to be made to the quality assurance system. The notified body shall evaluate the proposed changes and decide whether the modified quality assurance system will continue to comply with the requirements referred to in Sub-paragraph 18.2 of this Annex or whether a re-assessment is necessary. It shall notify the manufacturer of its decision. The decision shall contain the conclusions of the examination and a justified assessment.

19. Surveillance under the responsibility of the notified body:

19.1. the purpose of the surveillance is to make sure that the manufacturer duly fulfils the obligations arising out of the approved quality assurance system;

19.2. the manufacturer shall, for the assessment purposes, allow the notified body to access the manufacture, inspection, testing and storage sites, and shall provide it with all the necessary information, including:

19.2.1. the documentation of the quality assurance system;

19.2.2. the data on quality, such as inspection reports and test data, calibration data, reports on the qualification of the relevant personnel, etc.;

19.3. the notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality assurance system, and shall provide the manufacturer with an audit report;

19.4. representatives of the notified body may pay unexpected visits to the manufacturer, except where, under laws and regulations, and for defence or security reasons, certain restrictions apply to such visits. During such visits the notified body may carry out

product tests, or ensure that such testing is carried out, in order to verify that the quality assurance system is functioning correctly. The notified body shall submit to the manufacturer a visit report and, if tests have been carried out, with a test report.

20. Conformity marking and declaration of conformity:

20.1. the manufacturer shall affix the wheel mark referred to in Paragraph 12 of this Regulation, and, under the responsibility of the notified body referred to in Sub-paragraph 18.1 of this Annex, the latter's identification number to each individual product that is in conformity with the type described in the EC type-examination certificate and that complies with the relevant requirements of the international documents;

20.2. the manufacturer shall draw up a written declaration of conformity for each product model and keep it for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment. The declaration of conformity shall identify the marine equipment model for which it has been drawn up;

20.3. a copy of the declaration of conformity shall be made available to the relevant authorities upon a request.

21. The manufacturer shall keep the following for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment, and, if necessary, shall provide to the competent authorities:

21.1. the documentation referred to in Sub-paragraph 18.1 of this Annex;

21.2. the information of the changes referred to in Sub-paragraph 18.5 of this Annex, as approved;

21.3. the decisions and reports of the notified body referred to in Sub-paragraphs 18.5, 19.3 and 19.4 of this Annex.

22. Notified body shall inform the Ministry of Economics on all quality assurance system approvals issued or cancelled, and shall, periodically or upon a request of the Ministry of Economics, submit the list of quality assurance system approvals refused, suspended or otherwise restricted. Each notified body shall inform the other notified bodies on the quality assurance system approvals which it has refused, suspended, cancelled or otherwise restricted, and, upon a request, also on those quality assurance system approvals which it has issued.

23. The manufacturer's obligations set out in Sub-paragraphs 18.1, 18.5, Paragraphs 20 and 21 of this Annex may be fulfilled by its authorised representative, on its behalf and under its responsibility, provided that they are specified in the mandate.

III. Module E. Conformity to Type which is Determined Based on the Product Quality Assurance

24. Conformity to type which is determined based on the product quality assurance is that part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in Paragraphs 25 and 28 of this Annex, and ensures and declares that the marine equipment conforms to the type described in the EC type-examination certificate and the requirements of the international documents.

25. The manufacturer shall operate an approved quality assurance system for final product inspection and testing of the products concerned as specified in Paragraph 26 of this Annex. The manufacturer shall be subject to surveillance as specified in Paragraph 27 of this Annex.

26. Quality assurance system:

26.1. the manufacturer shall submit an application for the assessment of the quality assurance system of the marine equipment to the notified body. The application shall include:

26.1.1. the name and address of the manufacturer and, if the application is submitted by an authorised representative, its name and address as well;

26.1.2. a written declaration that the same application has not been submitted to any other notified body;

26.1.3. information on the envisaged marine equipment category;

26.1.4. the documentation of the quality assurance system;

26.1.5. the technical documentation of the approved type and a copy of the EC type-examination certificate;

26.2. the quality assurance system shall ensure compliance of the products with the type described in the EC type-examination certificate and with the applicable requirements of the international documents. The principles, requirements and provisions to which the manufacturer follows shall be documented in a systematic manner in the form of action plans, procedures and instructions. The documentation of the quality assurance system allows a consistent interpretation of the quality programmes, plans, manuals and data. The documentation of the quality assurance system shall contain a description of:

26.2.1. the quality assurance objectives and the organisational structure, obligations and powers of the management with regard to product quality;

26.2.2. the examinations and tests that will be carried out after manufacture;

26.2.3. the data on quality, such as inspection reports and test data, calibration data, reports on the qualification of the relevant personnel, etc.;

26.2.4. the means of monitoring the effective operation of the quality assurance system;

26.3. the notified body shall assess the quality assurance system to determine whether it satisfies the requirements referred to in Sub-paragraph 26.2 of this Annex. In addition to experience in quality assurance management systems, the auditing team must have at least one member with experience in the evaluation in the relevant marine equipment and marine equipment technology concerned, and knowledge of the applicable requirements of the international documents. The audit shall assess the manufacturer's premises. The auditing team shall examine the technical documentation referred to in Sub-paragraph 18.1 of this Annex in order to verify the manufacturer's ability to identify the relevant requirements of the international documents and to carry out the necessary examinations with a view to ensure the compliance of the product with those requirements. The decision shall be notified to the manufacturer. The decision shall contain the conclusions of the audit and a justified assessment;

26.4. the manufacturer shall undertake to fulfil the obligations arising out of the quality assurance system as approved and to maintain it so that it remains adequate and efficient;

26.5. the manufacturer shall inform the notified body that approved the quality assurance system on any changes necessary to be made to the quality assurance system. The notified body shall evaluate the proposed changes and decide whether the modified quality assurance system will continue to comply with the requirements referred to in Sub-paragraph 26.2 of this Annex or whether a re-assessment is necessary. It shall notify the manufacturer of its decision. The decision shall contain the conclusions of the examination and a justified assessment.

27. Surveillance under the responsibility of the notified body:

27.1. the purpose of surveillance is to make sure that the manufacturer fulfils the obligations arising out of the approved quality assurance system;

27.2. the manufacturer shall, for the assessment purposes, allow the notified body to access the manufacture, inspection, testing and storage sites, and shall provide it with all the necessary information, including:

27.2.1. the documentation of the quality assurance system;

27.2.2. the data on quality, such as inspection reports and test data, calibration data, reports on the qualification of the personnel, etc.;

27.3. the notified body shall carry out periodic audits to make sure that the manufacturer maintains and complies with the quality assurance system, and shall provide the manufacturer with an audit report;

27.4. representatives of the notified body may pay unexpected visits to the manufacturer, except where, under laws and regulations, and for defence or security reasons, restrictions apply to such visits. During such visits the notified body may test the products, or ensure that products are tested, in order to verify that the quality assurance system is functioning correctly. The notified body shall submit to the manufacturer a visit report and, if tests have been carried out, with a test report.

28. Conformity marking and declaration of conformity:

28.1. the manufacturer shall affix the wheel mark referred to in Chapter III of this Regulation, and, under the responsibility of the notified body referred to in Sub-paragraph 26.1 of this Annex, the latter's identification number to each individual product that is in conformity with the type described in the EC type-examination certificate and that complies with the relevant requirements of the international documents;

28.2. the manufacturer shall draw up a written declaration of conformity for each product model and keep it for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment. The declaration of conformity shall identify the marine equipment model for which it has been drawn up;

28.3. a copy of the declaration of conformity shall be made available to all relevant authorities upon a request.

29. The manufacturer shall keep the following for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment, and, if necessary, shall provide to the competent authorities:

29.1. the documentation referred to in Sub-paragraph 26.1 of this Annex;

29.2. the information of the changes referred to in Sub-paragraph 26.5 of this Annex, as approved;

29.3. the decisions and reports of the notified body referred to in Sub-paragraphs 26.5, 27.3 and 27.4 of this Annex.

30. Notified body shall inform the Ministry of Economics on all quality assurance system approvals issued or cancelled, and shall, periodically or upon a request, submit to the Ministry of Economics the list of quality assurance system approvals refused, suspended or otherwise restricted. Notified body shall inform the other notified bodies on the quality assurance system approvals which it has refused, suspended or cancelled, and, upon a request, also on those quality assurance system approvals which it has issued.

31. The manufacturer's obligations set out in Sub-paragraphs 26.1, 26.5, Paragraphs 28 and 29 of this Annex may be fulfilled by its authorised representative, on its behalf and under its responsibility, provided that they are specified in the mandate.

IV. Module F. Conformity to Type which is Determined Based on Product Verification

32. Conformity to type which is determined based on product verification is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in Paragraph 33, Sub-paragraph 36.1 and Paragraph 37 of this Annex, and ensures and declares that the products concerned, which have been subject to the provisions of Paragraph 34 of this Annex, conforms to the type described in the EC type-examination certificate and the applicable requirements of the international documents.

33. The manufacturer shall take all measures necessary so that the production process and its monitoring ensure conformity of the manufactured products with the approved type described in the EC type-examination certificate and with the requirements of the international documents.

34. A notified body chosen by the manufacturer shall carry out appropriate examinations and tests in order to check the conformity of the products with the approved type described in the EC type-examination certificate and with the requirements of the international documents. The examinations and tests to check the conformity of the products with the requirements shall be carried out, at the choice of the manufacturer, either by inspecting and testing every product as specified in Paragraph 35 of this Annex or by inspecting and testing the products on a statistical basis as specified in Paragraph 36 of this Annex.

35. Verification of conformity by examining and testing every product:

35.1. each products shall be individually examined and tested, in order to verify conformity with the approved type described in the EC type-examination certificate and with the requirements of the international documents;

35.2. the notified body shall issue a certificate of conformity in respect of the examinations and tests carried out, and shall affix its identification number to each approved product or ensure that it is affixed under its responsibility;

35.3. the manufacturer shall keep the certificates of conformity for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment, and, if necessary, shall provide them to the competent authorities.

36. Statistical verification of conformity:

36.1. the manufacturer shall take all measures necessary so that the production process and its monitoring ensure the homogeneity of each lot manufactured, and shall present its products for verification in the form of homogeneous lots;

36.2. a random sample shall be taken from each lot. All products in a sample shall be individually examined and tested in accordance with this Regulation, in order to ensure their conformity with the applicable requirements of the international documents and to determine whether the lot is accepted or rejected;

36.3. if a lot is accepted, all products of the lot shall be considered approved, except for those products from the sample that have been rejected during the tests;

36.4. the notified body shall issue a certificate of conformity in respect of the examinations and tests carried out, and shall affix its identification number to each approved product or ensure that it is affixed under its responsibility;

36.5. the manufacturer shall keep the certificates of conformity for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment;

36.6. If a lot is rejected, the notified body or the Consumer Rights Protection Centre shall take the appropriate measures to prevent that lot being placed on the market. In the event

of frequent rejection of lots, the notified body may suspend the statistical verification and take appropriate measures.

37. Conformity marking and declaration of conformity:

37.1. the manufacturer shall affix the wheel mark referred to in Paragraph 12 of this Regulation, and, under the responsibility of the notified body referred to in Paragraph 34 of this Annex, the latter's identification number to each individual product that is in conformity with the type described in the EC type-examination certificate and that complies with the relevant requirements of the international documents;

37.2. the manufacturer shall draw up a written declaration of conformity for each product model and keep it for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment. The declaration of conformity shall identify the marine equipment model for which it has been drawn up;

37.3. a copy of the declaration of conformity shall be made available to the relevant authorities, if necessary.

38. If the notified body agrees and under its responsibility, the manufacturer may affix the notified body's identification number to the products during the production process.

39. The manufacturer's obligations may be fulfilled by its authorised representative, on its behalf and under its responsibility, provided that they are specified in the mandate. An authorised representative may not fulfil the manufacturer's obligations set out in Paragraph 33 and Sub-paragraph 36.1 of this Annex.

V. Module G. Conformity Determination Based on Unit Verification

40. Conformity determination based on unit verification is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in Paragraphs 41, 42 and 44 of this Annex and ensures and declares that the products, which have been subject to the provisions of Paragraph 3 of this Annex, are in conformity with the requirements of the international documents.

41. The manufacturer shall draw up the technical documentation and submit it to the notified body referred to in this Annex. The documentation shall include information which allows the assessment of product's conformity with the relevant requirements, and the analysis and assessment of the risks. The technical documentation shall specify the applicable requirements and, as far as relevant for the assessment, information on the design, manufacture and operation of the product. The manufacturer shall keep the technical documentation for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment, and, if necessary, shall provide it to the competent authorities. The technical documentation shall, wherever applicable, contain at least the following elements:

41.1. a general description of the product;

41.2. conceptual design and manufacturing drawings and schemes of components, sub-assemblies, circuits, etc.;

41.3. descriptions and explanations necessary for the understanding of those drawings and schemes and the operation of the product;

41.4. a list of the requirements and testing standards which are applicable to the marine equipment concerned in accordance with this Regulation, together with a description of the solutions adopted to meet those requirements;

41.5. results of design calculations made, inspections carried out, etc.;

41.6. test reports.

42. The manufacturer shall take all measures necessary so that the production process and its monitoring ensure conformity of the manufactured product with the requirements of the international documents.

43. A notified body chosen by the manufacturer shall carry out examinations and tests in accordance with this Regulation, in order to check the conformity of the product with the applicable requirements of the international documents. The notified body shall issue a certificate of conformity in respect of the examinations and tests carried out and shall affix its identification number to the approved product, or ensure that it is affixed under its responsibility. The manufacturer shall keep the technical documentation for at least 10 years after the wheel mark has been affixed on the last product manufactured, but in no case for a period shorter than the expected service life of the specific marine equipment, and also, if necessary, shall provide it to the competent authorities.

44. Conformity marking and declaration of conformity:

44.1. the manufacturer shall affix the wheel mark referred to in Paragraph 12 of this Regulation and, under the responsibility of the notified body referred to in Paragraph 43 of this Annex, the latter's identification number to each product that complies with the applicable requirements of the international documents;

44.2. the manufacturer shall draw up a written declaration of conformity for each product model and keep it for at least 10 years after the wheel mark has been affixed on the last product manufactured and in no case for a period shorter than the expected service life of the marine equipment concerned. The declaration of conformity shall identify the product for which it has been drawn up;

44.3. a copy of the declaration of conformity shall be made available to the relevant authorities upon request.

45. The manufacturer's obligations set out in Paragraphs 41 and 44 of this Annex may be fulfilled by its authorised representative, on its behalf and under its responsibility, provided that they are specified in the mandate.

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Requirements to be Met by the Conformity Assessment Bodies to Become the Notified Bodies

1. A conformity assessment body shall meet the requirements laid down in Paragraphs 2 to 11 of this Annex.
2. A conformity assessment body shall be a legal person registered with the Commercial Register.
3. A conformity assessment body shall be a third-party body independent of the merchant or the marine equipment which it assesses.
4. A body belonging to a business association or professional federation representing the undertakings involved in the design, production, provision, assembly, use or maintenance of marine equipment which it assesses, may, provided that its independence and absence of any conflict of interest is demonstrated, be considered a conformity assessment body.
5. A conformity assessment body, its top-level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the marine equipment which is assessed, nor the authorised representative of any of those parties, nor have obtained any other decisive influence in accordance with Section 3 of the Group of Companies Law. This shall not preclude conformity assessment body from the use of assessed products that are necessary for the operations of the conformity assessment body or the use of such products for personal purposes of the persons referred to in this Paragraph.
6. A conformity assessment body, its top-level management and the personnel responsible for carrying out the conformity assessment tasks shall not be directly involved in the design, manufacture or construction, marketing, installation, use or maintenance of the marine equipment to be assessed, or represent the parties engaged in those activities. The persons referred to in this Paragraph shall not engage in any activity that may conflict with their independence of judgement or integrity in relation to conformity assessment activities of which they are notified. This shall apply, in particular, to consultancy services.
7. A conformity assessment body shall ensure that the activities of their subsidiaries or subcontractors do not affect the confidentiality, objectivity or impartiality of their conformity assessment activities.
8. Conformity assessment bodies and their personnel shall carry out the conformity assessment activities with the highest degree of professional integrity and the requisite technical competence in the specific field and shall be free from all pressures and inducements, particularly of a financial nature, which might influence their judgement or the results of their conformity assessment activities, especially as regards to persons or groups of persons with an interest in the results of those activities.

9. A conformity assessment body shall be capable of carrying out all the conformity assessment tasks assigned to it under this Regulation and in relation to which it has been notified, whether those tasks are carried out by the conformity assessment body itself or on its behalf and under its responsibility.

10. At all times and for all conformity assessment procedure and each kind, category or sub-category of marine equipment in relation to which it has been notified, a conformity assessment body shall have at its disposal the necessary:

10.1. personnel with technical knowledge and sufficient and appropriate experience to carry out the conformity assessment tasks;

10.2. descriptions of procedures in accordance with which conformity assessment is carried out, ensuring the transparency of those procedures and the possibility of reproducing them. The conformity assessment body shall have in place appropriate policies and procedures that distinguish between tasks that it carries out as a notified body and other activities;

10.3. procedures for the performance of activities which take due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of the marine equipment technology in question and the mass or serial nature of the production process.

11. A conformity assessment body shall have the means necessary to perform the technical and administrative tasks connected with the conformity assessment activities in an appropriate manner, and shall have access to all necessary equipment and facilities.

12. The personnel responsible for carrying out conformity assessment activities shall have the following:

12.1. corresponding technical and vocational training covering all the conformity assessment activities in relation to which the conformity assessment body has been notified;

12.2. satisfactory knowledge of the requirements of the assessments they carry out and adequate authority to carry out those assessments;

12.3. appropriate knowledge and understanding of the applicable requirements and testing standards and of the relevant provisions of European Union legislation and national legislation transposing the aforementioned European Union legislation;

12.4. the ability to draw up certificates, records and reports demonstrating that assessments have been carried out.

13. The impartiality of the conformity assessment body, its top-level management and the assessment personnel shall be guaranteed.

14. The remuneration of the top-level management and of the assessment personnel of a conformity assessment body shall not depend on the number of assessments carried out or on the results of those assessments.

15. Conformity assessment bodies shall take out civil liability insurance.

16. The personnel of a conformity assessment body shall observe professional secrecy with regard to all information obtained in fulfilling their tasks under this Regulation. Proprietary rights shall be protected.

17. Conformity assessment bodies shall participate in the work of the coordination group of the notified bodies or ensure that their assessment personnel is informed of the standardisation

activities and the activities of the coordination group of the notified bodies, and would apply the administrative decisions and documents of that group as general guidelines.

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Sample of the European Union Declaration of Conformity

ES atbilstības deklarācija Nr. xxx *EU Declaration of conformity No. xxx*

1. Nr. .../No.

...

(unikāls produkta identifikācijas numurs/
Unique identification number of the product)

2. Ražotāja vai tā pilnvarotā pārstāvja vārds un uzvārds/nosaukums un adrese (pilnvarotajam pārstāvim jānorāda arī ražotāja uzņēmuma nosaukums un adrese)/*Name and address of the manufacturer or his authorised representative (authorised representative shall also indicate name and address of the manufacturer)*

3. Šī atbilstības deklarācija ir izsniegta vienīgi uz šāda ražotāja (vai uzstādītāja) atbildību/
This declaration of conformity is issued under the sole responsibility of the manufacturer (or installer)

4. Deklarācijas priekšmets/*Object of the declaration*

(produkta identifikācija, kas nodrošina tā izsekojamību; ja nepieciešams, var pievienot
fotogrāfiju/
identification of product allowing traceability. It may include a photograph, where appropriate)

5. Šā pielikuma 4. punktā norādītais deklarācijas priekšmets atbilst Ministru kabineta 2017. gada 17. janvāra noteikumiem Nr. 34 "Kuģu aprīkojuma noteikumi".
The object of the declaration described above is in conformity with the Cabinet Regulation No 34 "Regulation on Marine Equipment" of 17 January 2017.

6. Atsauces uz attiecīgajiem saskaņotajiem standartiem vai atsauces uz pārējām tehniskām specifikācijām, attiecībā uz kurām tiek deklarēta atbilstība/*References to the relevant harmonised standards used or references to other specifications in relation to which conformity is declared*

7. Paziņotā institūcija (ja nepieciešams)/*Where applicable, the notified body*

(nosaukums, numurs/*name, number*)

ir veikusi/*performed*

(darbības apraksts/*description of intervention*)

un izsniegusi sertifikātu/*and issued the certificate*

8. Papildinformācija/*Additional information*

Parakstīts šādas personas vārdā/*Signed for and on behalf of*

(amats, vārds, uzvārds/*position, name, surname*)

(paraksts/*signature*)

(izdošanas vieta un datums/*place and date of issue*)

Minister for Transport

Uldis Augulis



**MARITIME SAFETY INSPECTORATE OF THE
MARITIME ADMINISTRATION OF LATVIA**

CERTIFICATE OF CONFORMITY

No.

On the basis of Paragraph 75 of Cabinet Regulation No. 34 of 17 January 2017, Regulations
Regarding the Marine Equipment, we certify that

(full name, address and registration number of the merchant)

is a merchant recognised by the Maritime Safety Inspectorate of the Maritime Administration
of Latvia who performs the works indicated in Annex to this certificate of conformity*

The certificate of conformity shall be valid
until _____

provided that it is approved each year.

Time-limit for the next inspection _____

Place _____ Date _____

Place for a seal

Authorised person _____

(given name, surname, signature)

Note. * When performing the works indicated in Annex to the certificate of conformity, the
following entry must be included in the documents of the merchant: "Works have been
performed in accordance with the requirements of the Maritime Safety Inspectorate of the
Maritime Administration of Latvia."

Annual approval

On the basis of annual inspection (inspection report of the merchant No. _____), this
certificate of conformity is approved.

Time-limit for the next inspection _____

Place _____ Date _____

Authorised person _____
(given name, surname, signature)

Seal or stamp _____

On the basis of annual inspection (inspection report of the merchant No. _____), this certificate of conformity is approved.

Time-limit for the next inspection _____

Place _____ Date _____

Authorised person _____
(given name, surname, signature)

Seal or stamp _____

On the basis of annual inspection (inspection report of the merchant No. _____), this certificate of conformity is approved.

Time-limit for the next inspection _____

Place _____ Date _____

Authorised person _____
(given name, surname, signature)

Seal or stamp _____

On the basis of annual inspection (inspection report of the merchant No. _____), this certificate of conformity is approved.

Time period for the next annual inspection _____

Place _____ Date _____

Authorised person _____
(given name, surname, signature)

Seal or stamp _____

ANNEX TO THE CERTIFICATE OF CONFORMITY NO. _____

No.	Work to be carried out by the merchant and equipment	Technical Documentation

Authorised person _____

(given name, surname, signature)

Place for a seal

Minister for Transport

Uldis Augulis