

## **Translation from Finnish**

### **Legally binding only in Finnish and Swedish**

### **Ministry of Transport and Communications**

## **Water Traffic Act**

*(782/2019; amendments up to 543/2021 included)*

### **Chapter 1**

#### **General provisions**

### **Section 1**

#### **Scope of application**

This Act applies to watercraft and their use in the water areas of Finland. The Act also applies to timber floats and towed and floating objects as separately provided in this Act.

The Act also applies to the marking of waterways and to water traffic control and to procedures complied with when navigating through locks and open canals and movable bridges.

This Act applies to merchant shipping and the watercraft used therein to the extent that they are not separately provided for in the Maritime Act (674/1994), the Ship Safety Control Act (370/1995), the Act on the Technical Safety and Safe Operation of Ships (1686/2009), the Vessel Traffic Service Act (623/2005), the Act on Transport Services (320/2017) or elsewhere in the law. In addition to the provisions of this Act, provisions on watercraft used for purposes other than merchant shipping and on their use are laid down in chapters 10a, 11a and 16 of the Maritime Act, in the Act on the Safety and Emission Requirements of Recreational Craft (1712/2015), in the Vessel Traffic Service Act and elsewhere in the law.

In addition to the provisions of the Agreement between the Government of the Republic of Finland and the Government of the Russian Federation Concerning the Lease to the Republic of Finland of the Russian Part of the Saimaa Canal and the Surrounding Area and the Navigation through the Saimaa Canal (Finnish Treaty Series 8/2012, *the Saimaa Canal Lease Agreement*) and what is in force in accordance with the Act on the Enforcement of Legislative Provisions and the Application of the Agreement with Russia on the Lease to the Republic of Finland of the Russian Part of the Saimaa Canal and the Surrounding Area and the Navigation through the Saimaa Canal (104/2011), the provisions of chapter 1, section 14, subsections 2 and 3; sections 16–20; section 21,

subsections 1 and 3–5; section 22; section 31, subsection 2; sections 33–38; section 39, subsection 2; and chapters 4 and 6 shall be complied with in the leased area.

## **Section 2**

### **Use of a watercraft as a charter boat**

If a watercraft is used as a charter boat against remuneration to generate income, the charter activity is governed by the Maritime Act.

However, if a charter boat has been leased out to domestic traffic for training in the use of or navigating on a watercraft or for training connected to voluntary sea rescue services, this Act shall be applied.

## **Section 3**

### **Definitions**

In this Act:

- 1) *watercraft* means any vessel, vehicle or equipment used for navigating on water;
- 2) *pleasure craft* means any watercraft of any type, excluding personal watercraft, intended for sports or leisure purposes of hull length from 2.5 to 24 metres, regardless of the means of propulsion;
- 3) *pleasure yacht* means any vessel intended for sports or leisure purposes of hull length over 24 metres, measured according to applicable harmonised standards, and with a gross tonnage of less than 500;
- 4) *charter boat* means a watercraft of hull length from 2.5 metres to 24 metres chartered for sports or leisure purposes with crew and carrying a maximum of 12 passengers in non-regular service; however, not a sailing boat of less than 5.5 metres in hull length, as declared by the manufacturer, a watercraft equipped with an engine whose power output is less than 15 kilowatts, as declared by the manufacturer, and whose hull length is less than 5.5 metres, as declared by the manufacturer, a personal watercraft or a rowing boat;

5) *personal watercraft* means a watercraft intended for sports or leisure purposes of less than 4 metres in hull length which uses a propulsion engine having a water jet pump as its primary source of propulsion and designed to be operated by a person sitting, standing or kneeling on the hull;

6) *vessel* means any watercraft intended for navigating on water;

7) *cable ferry* means a ferry controlled by a steering rope or alternatively by other equipment approved by the Finnish Transport and Communications Agency;

8) *public channel* means a channel which is necessary to be kept open for public water traffic and which is designated as a public channel or public local channel in accordance with the Water Act (587/2011);

9) *party maintaining a public channel* means the party who, on the basis of the decision to designate as a public channel, has the right to construct or improve the channel;

10) *private channel* means a channel other than a public channel or a main channel in accordance with the Water Act;

11) *narrow channel* means all channels of the Finnish coastal and inland waterways with the exception of channels and channel sections in open and deep waters;

12) *the Rules of the Road at Sea* means the Convention on the International Regulations for Preventing Collisions at Sea concluded in 1972 (Finnish Treaty Series 30/1977, COLREG Convention), with later amendments;

13) *anchoring* means mooring a watercraft to a buoy or a pole or with an anchor into the bottom or ashore without tying the watercraft to the dock;

14) *lights* mean the lights used when a watercraft is underway or anchoring that are necessary to identify the watercraft;

15) *signal lights* mean signals used by a watercraft indicating the purpose of the watercraft or its restricted ability to manoeuvre;

16) *length of the watercraft* means the hull length of the watercraft; however, in chapter 2, the overall length of the watercraft.

## **Section 4**

### **Right to move in a water area**

In addition to the provisions of this Act and the Saimaa Canal Lease Agreement, the right of everyone to move, anchor on a temporary basis, float timber and swim in a water area is also governed by the provisions of chapter 2, section 3 of the Water Act.

## **Section 5**

### **General obligations relating to the use of a watercraft**

A watercraft user shall exercise care and caution called for by the conditions and act in such a way that the user does not, without a compelling reason, obstruct or interfere with the navigation of others or cause danger or damage to others or pose a threat or significant or unnecessary harm or disturbance to nature or the environment, fishing, the general use of nature for recreation or another public or private interest.

A watercraft user shall, according to his or her ability, participate in rescue measures required elsewhere in the law and otherwise in any action called for by an accident or incident.

## **Section 6**

### **General requirements relating to an operator, master or relinquisher of a watercraft**

A watercraft may be operated, steered or controlled only by a person who is of the age required, and has the ability and skills necessary to control the watercraft under the conditions. A motor-driven watercraft subject to registration may be steered or controlled only by a person who is over 15 years of age.

Unless otherwise provided in chapter 6 of the Maritime Act, the master is responsible for the navigation and safety of the watercraft. The master is the person who in fact steers or controls the watercraft. If there is uncertainty as to who the master is, ultimately the responsibility of the master lies with the owner or holder of the watercraft entered in the transport register who, in fact, may have steered or controlled the watercraft.

A watercraft may not be relinquished to be operated, steered or controlled by or chartered to a person who does not possess the age, ability and skills required for it in subsection 1.

The person who relinquishes a watercraft to be operated, steered or controlled or chartered a watercraft shall ensure that, at the time when relinquished, the watercraft is safe with regard to its structure, condition and other characteristics with a view to said water area and related conditions as provided in section 107 and that the recipient of the watercraft has been given adequate guidance for its safe use.

## **Section 7**

### **Overall responsibility of the master**

The master of a watercraft shall ensure that:

- 1) the watercraft is safe with regard to its structure, condition and other characteristics with a view to the intended voyage and the conditions as provided in section 107;
- 2) the persons onboard the watercraft have been given adequate guidance for safe operation onboard the watercraft;
- 3) the watercraft is equipped with the necessary equipment and gear provided for in and under section 108 and the equipment and gear are in good condition and easily accessible;
- 4) the watercraft has the relevant nautical charts and nautical publications available if the intended voyage calls for route planning due to the length of the voyage or for another corresponding reason or circumstance; and that (543/2021)

5) the persons onboard a watercraft referred to in section 108 are wearing the flotation devices referred to in subsection 1, paragraph 1 of said section when the weather, waves, the condition of the watercraft or other circumstances so require. (543/2021)

Paragraph 6 was repealed by Act 543/2021.

## **Section 8**

### **Authorities monitoring water traffic**

The authorities that monitor water traffic are the police, the Border Guard, Customs and the Finnish Transport and Communications Agency.

The provisions of Article 6, paragraph 2 and Article 15, paragraph 1 of the Saimaa Canal Lease Agreement apply in the lease area of the Saimaa Canal.

## **Section 9**

### **Access services for canals and movable bridges**

The Finnish Transport Infrastructure Agency is responsible for arranging access services for canals and movable bridges. However, Defence Properties Finland is responsible for arranging access services for canals and movable bridges owned or managed by the Finnish Defence Administration or Defence Properties Finland. The arrangement of access services for other canals and movable bridges is the responsibility of the owner of the canal or movable bridge. The party arranging access services for canals and movable bridges may conclude a contract with a private or public service provider whereby the service provider undertakes to attend to the provision of access services for canal traffic within a certain operating area. (543/2021)

Access services shall be provided equally to all types of watercraft taking into consideration the procedures to be complied with in accordance with section 33. The requirements of good governance shall be complied with in access service provision. (543/2021)

The provisions on criminal liability for acts in office are applied to a person participating in the provision of access services while performing tasks directly connected to access services for canal traffic. Provisions on compensation for damages are laid down in the Tort Liability Act (412/1974).

The use of canals and movable bridges may also be arranged as self-service.

## **Chapter 2**

### **Water traffic rules and principles of water traffic control**

#### **Section 10**

##### **Compliance with the Rules of the Road at Sea**

A master shall comply with the Rules of the Road at Sea in high seas, in all waterways connected therewith and navigable by seagoing vessels and in merchant shipping channels. Merchant shipping channels mean public channels designated under the Water Act that have primarily been constructed and intended for merchant shipping.

The Rules of the Road at Sea shall be complied with in inland waterways with the exceptions and additions referred to in this chapter. Inland waterways mean lakes, rivers, canals and the sea area with an outer limit formed by a line where each point is at a distance of two nautical miles from the closest point of the baseline bordering the internal territorial waters on the side of the territorial sea.

#### **Section 11**

##### **Compliance with the water traffic rules and control of water traffic**

In water traffic, the master shall comply with the water traffic rules referred to in this chapter, a signal, order or prohibition given by a person monitoring water traffic or a signal given by a person controlling water traffic and with an obligation indicated by a water traffic sign or light signal.

A person monitoring water traffic means an official of the police, the Border Guard, Customs or the Finnish Transport and Communications Agency, whose duties comprise ensuring the safety and flow of water traffic or maintaining public order and security or attending to the monitoring and control duties provided in the Police Act (872/2011), the Border Guard Act (578/2005) or the Customs Act (304/2016). A person controlling water traffic means another person whom the police, the Border Guard, Customs or a rescue authority has, in individual cases or for a specific period, ordered to control traffic due to an accident, a public event, a competition or another corresponding reason or to maintain public order and security. During the exercises of the Defence

Forces and in duties pertaining to territorial surveillance and oil pollution response, also a soldier assigned to the duty by the Defence Forces may control water traffic. The supervision of water areas controlled by Metsähallitus is also governed by the Act on the Supervision of Hunting, Fishing and Wilderness Areas by Metsähallitus (1157/2005). (543/2021)

Waterway users shall primarily respect a sign, order or prohibition given by a person monitoring water traffic or a sign given by a person controlling water traffic. An obligation indicated by a water traffic sign or light signal shall be complied with even if it would require derogation from the water traffic rules. A light signal has, however, priority over a water traffic sign.

An operator of a watercraft engaged in police, customs, border guard and emergency medical service duties and an operator of a watercraft of a maritime search and rescue unit and the Defence Forces may, where required by the duty and taking the necessary precautions, derogate from the obligations indicated by water traffic signs or light signals and from other water traffic rules referred to in this chapter with the exception of the give-way obligation. Where required by the circumstances, special light and sound signals shall be given.

The derogations referred to in subsection 4 also apply to the competent authorities of another state and the operator of a watercraft registered in another state in Finnish territory as agreed or separately provided on competence between the states.

## **Section 12**

### **Safe passage and speed**

A watercraft shall maintain a proper lookout by sight and hearing when underway.

A watercraft shall be manoeuvred in compliance with the prevailing speed limit and at a correctly selected speed with a view to the circumstances to avoid collision and damage to the environment.

## **Section 13**

### **Risk of collision and its avoidance**

The master of a watercraft shall determine and prevent any risk of collision and take any action to avoid collision in ample time and safely.

## **Section 14**

### **Overtaking, meeting and passing**

In overtaking, head-on meeting and passing situations particular caution shall be observed taking into consideration the provisions of Part B of the Rules of the Road at Sea.

Overtaking in a channel is permitted only when the speed of the watercraft or timber float ahead is considerably lower than the maximum speed allowed of the watercraft proceeding behind.

Overtaking in a channel is forbidden at a waiting harbour of a lock or at a bridge.

When two motor-driven watercraft meet in a narrow channel so that they cannot pass each other without a danger of collision, the watercraft that arrived at the site later shall wait until the other watercraft has passed it. When meeting another motor-driven watercraft in a full-on stream that affects manoeuvring, the watercraft proceeding upstream shall give way and wait for the watercraft proceeding downstream. In narrow sections of canals and bridge openings, where motor-driven watercraft cannot meet without a danger of collision, the watercraft proceeding upstream shall wait for the one proceeding downstream.

A watercraft or a floating object used to practice underwater diving shall be passed with proper caution and a motor-driven watercraft shall avoid creating wash.

## **Section 15**

### **Exemptions relating to the navigation and meeting of rowboats and watercraft of under 7 metres in length**

In derogation from the provisions of section 14 above, the following watercraft shall, in public channels, stay out of the way of watercraft exceeding 12 metres in length:

- 1) a rowboat and a watercraft comparable to it with regard to its size, speed or other characteristics;
- 2) a motor-driven watercraft of under 7 metres in length with the highest speed of no more than seven knots;

3) a sailing vessel less than seven metres long that proceeds under sail.

## **Section 16**

### **Anchoring and making fast of a watercraft or a timber float or another floating object**

A watercraft and a timber float or another floating object shall be anchored and made fast so that it does not endanger traffic in a public channel.

Anchoring and making fast of a watercraft and a timber float or another floating object is forbidden:

- 1) under overhead cables and bridges;
- 2) at submarine cables and pipelines and other corresponding objects;
- 3) in the immediate vicinity of locks and bridges;
- 4) in the application zone of a prohibition on meeting or overtaking.

## **Section 17**

### **Anchoring and making fast of a watercraft in canals and in movable bridge areas**

In canals and movable bridge areas, the anchoring and making fast to the shore or dock of watercraft and timber floats is permitted only in marked places and temporarily elsewhere if it does not cause harm or danger to traffic or to the structure of the canal.

If there are bollards, rings, piles or other equipment for making fast, they shall be used. Making fast to trees, light or traffic sign poles or other structures or equipment of the canal not meant for it is forbidden.

The crew needed to keep watch of and for possible movement of a watercraft or timber float made fast or anchored in the canal and movable bridge area shall remain on it unless otherwise

agreed on with a person participating in the provision of access services for canals and movable bridges, or unless the timber float is located in a special processing area for a timber float.

The unloading or loading of the load of a watercraft is permitted or passengers may be taken on board the watercraft or set down from it only at places designated for that purpose.

## **Section 18**

### **Stopping of a watercraft and presentation of documents**

A person monitoring or controlling water traffic may stop a watercraft. The person monitoring water traffic may inspect the structure, equipment and gear, condition and documents of a watercraft and the identification information of the watercraft and its engine and check the ability, age, skills and the necessary competence of the master and operator of the watercraft.

A watercraft shall be stopped immediately when it can be safely done upon a clearly visible stop signal given by a person monitoring or controlling water traffic. The stop signal shall be given in the manner referred to in section 53 or in another suitable manner. A stopping order given by a stop signal may be enhanced, where necessary, by giving a sound signal, by floodlighting, by shooting up a white flare or by firing a shot or in another suitable manner.

The documents separately provided or regulated relating to the master of the watercraft and the craft and its equipment and gear shall be presented at the request of a person monitoring water traffic. In the absence of such a document, the master or holder of the watercraft shall present, within a reasonable period specified by the person monitoring water traffic, the document to the supervisory authority indicated in the inspection.

## **Section 19**

### **Prevention or interruption of the voyage of a watercraft**

A person monitoring water traffic may prevent or interrupt the voyage of a watercraft or navigation on a watercraft if the watercraft does not meet the requirements of section 107 or 108 or the regulations issued under section 107, subsection 3 or section 108, subsection 4, or if continuing the journey involves an evident risk of accident, disturbance of public order or a threat of adverse environmental impact, or if traffic has been temporarily interrupted or restricted due to

necessary construction work in a public channel, a competition or another corresponding reason, or if a decision of the Finnish Transport and Communications Agency on a regional or watercraft-type specific prohibition or restriction is in force in the water area or if the use of the watercraft has been prohibited or restricted in a canal with locks in accordance with section 33, subsection 2. Under these circumstances, the master of the watercraft shall be obligated to stop the watercraft. (543/2021)

If the voyage of a watercraft is prevented or interrupted, the master of the watercraft is responsible for the watercraft that is towed or anchored or that remains tied to the shore or dock.

A person participating in the provision of access services for canal traffic may, within his or her operational area and on his or her own initiative, make a decision referred to in subsection 1 in an urgent case for the duration of no more than one day. The decision shall, without delay, be reported to the Finnish Transport and Communications Agency, which shall decide on the interruption or continuance of the measure without undue delay.

## **Section 20**

### **Moving a watercraft**

The party maintaining a public channel may order a watercraft in a public channel to be moved and a person participating in the provision of access services may order a watercraft in a canal or movable bridge area to be moved if it disturbs, impedes or endangers water traffic or the environment.

## **Section 21**

### **A sunk, stuck or drifting watercraft, a part of it or other object**

Unless otherwise provided in chapter 11a of the Maritime Act, the owner of a watercraft or the party who had control of the watercraft or other object shall, as soon as possible, remove the watercraft, the part of it or other object that has sunk, drifted or got stuck in a channel or other area used in water traffic if the watercraft, the part of it or object is hazardous or harmful to water traffic. The owner of a watercraft or the party who had control of the watercraft or object shall, where necessary, place an appropriate sign as a temporary warning sign on site.

The owner of a watercraft or the party who had control of the watercraft or object shall report the situation referred to in subsection 1 to the Emergency Response Centre, the Maritime Rescue Coordination Centre or the VTS service provider, which shall inform the party responsible for waterway maintenance and the Finnish Transport and Communications Agency.

If a watercraft or a timber float sinks or gets stuck in a canal or cannot otherwise proceed in the canal, the master shall immediately report the matter to the provider of access services for canals and movable bridges, who shall inform the party responsible for waterway maintenance and the Finnish Transport and Communications Agency.

Provisions on the liability to compensate for damage caused by neglect of a measure referred to in subsections 1–3 are issued in the Tort Liability Act.

The Finnish Transport and Communications Agency may take the necessary action, at the expense of the negligent party, to remove the hazard or obstacle. The Finnish Transport and Communications Agency has the right to receive the necessary executive assistance from the police, the Border Guard and Customs.

## **Section 22**

### **Damage caused by a watercraft or timber float**

If a watercraft or a timber float causes damage to the structures, equipment, lighting or buoyage of a canal or a movable bridge, its master shall report the damage, without delay, to the provider of access services for canals and movable bridges, who shall inform the Finnish Transport and Communications Agency.

Provisions on the liability to compensate for damage caused by neglect of a measure referred to in subsection 1 are issued in the Tort Liability Act.

### **Use of lights, shapes and sound, and light signals**

## **Section 23**

### **Lights, shapes and sound, and light signals of a watercraft**

A watercraft shall exhibit the lights specified in Part C of the Rules of the Road at Sea from sunset to sunrise or in restricted visibility and the shapes specified in Part C by day.

A watercraft or a timber float at anchor in a protected site with regard to traffic safety or in a marina or a corresponding site need not exhibit the lights or shapes specified for anchored watercraft in Part C of the Rules of the Road at Sea.

A watercraft shall give sound and light signals in accordance with Part D of the Rules of the Road at Sea to attract the attention of other waterway users.

A watercraft of the authorities monitoring water traffic, the Defence Forces, the Rescue Authorities and the Search and Rescue Unit on an official or emergency call may exhibit a blue all-round flashing light when the watercraft is responding to an urgent call or when this is necessary to warn other water traffic.

## **Section 24**

### **Lights and shapes of a watercraft of less than 12 metres in length**

A motor-driven watercraft of less than 12 metres in length and without a mast shall keep a masthead light at least 0.5 metres above the sidelights or their combination.

The sidelights of a watercraft of less than 12 metres in length need not have screens. The watercraft need not exhibit the shapes specified for a watercraft aground or not under command in Part C of the Rules of the Road at Sea even if it is not under command or aground.

## **Section 25**

### **Lights and shapes of a timber float or another floating object**

When a timber float or other floating object is towed or at anchor and cannot exhibit the lights or shapes referred to in section 23, it shall exhibit a white all-round light at forward and stern end. The light shall be visible at a minimum range of two nautical miles. If the length of the timber float or other floating object being towed exceeds 100 metres, the lights shall be fitted so that the distance between them does not exceed 100 metres if this is practicable.

When a timber float or other floating object being towed is totally or partly submerged, it shall exhibit a diamond shape at its forward and stern end by day. If the length of such timber float or other floating object exceeds 100 metres, the shapes shall be fitted so that the distance between them does not exceed 100 metres if this is practicable.

Where necessary, the lights and shapes with regard to a totally or partly submerged timber float or other floating object referred to in subsection 1 may be fitted on any suitable pontoons or floats attached to it.

## **Section 26**

### **Ferry lights**

A ferry shall exhibit:

- 1) three red lights where they can best be seen fitted at the direction of the fore and aft centreline at a distance of one metre apart so that they form an equilateral triangle pointing upwards and the lights shall be visible all-round at a minimum range of one nautical mile; and
- 2) two balls in a vertical line at a distance of at least 0.75 metres apart, the lower of which is at least four metres above the hull.

## **Section 27**

### **Lights of a watercraft proceeding stern first**

A motor-driven watercraft built to proceed also stern first shall, when proceeding stern first, exhibit the lights specified in Part C of the Rules of the Road at Sea in such a way that the actual driving direction is revealed.

A watercraft referred to in subsection 1 above shall exhibit two balls that have a diameter of not less than 0.6 metres fitted symmetrically one on each side of the fore and aft centreline at least two metres above the chimney and superstructure and at a distance of at least three metres apart.

## **Section 28**

### **Shapes of a watercraft engaged in diving operations**

A watercraft or a floating object engaged in diving operations shall exhibit, when the diver is down, a rigid replica of the International Code flag A in accordance with Annex 2 of not less than one metre in height and illuminated at night. When exhibiting the shape, its all-round visibility shall be ensured.

## **Section 29**

### **Shapes of a watercraft of less than 20 metres in length**

In a watercraft of less than 20 metres in length, shapes and their vertical distances used may be of lesser dimensions than those given in Annex I of the Rules of the Road at Sea.

The Ministry of Transport and Communications may issue more detailed regulations on the technical specifications of the shapes referred to in subsection 1.

## **Section 30**

### **Lights and shapes of a watercraft of less than 7 metres in length**

A watercraft of less than seven metres in length, the hull or superstructure of which does not have a suitable place for fitting sidelights at a height of at least one metre from the waterline of the watercraft may, instead of the lights specified in part C of the Rules of the Road at Sea, exhibit an all-round white light.

A watercraft of less than 7 metres in length need not exhibit the shapes specified in part C of the Rules of the Road at Sea with the exception of a power-driven watercraft proceeding under sail.

## **Section 31**

### **Sound signals in narrow channels**

When a watercraft has to be equipped with a whistle in accordance with Part D of the Rules of the Road at Sea, the watercraft shall sound one prolonged blast on the whistle before arriving at a narrow channel referred to in section 14, subsection 3. A watercraft already in the channel shall answer with at least five short and rapid blasts on the whistle.

When a watercraft or a timber float enters or leaves a port or pier along the channel it shall notify, where necessary, those proceeding near it of its manoeuvres with the following sound signals on the whistle:

- 1) three prolonged blasts followed by one short blast, when intending to head to the right; and
- 2) three prolonged blasts followed by two short blasts, when intending to head to the left.

## **Section 32**

### **Sound signals of a dredger**

In restricted visibility, a dredger engaged in underwater or corresponding operations and other watercraft or a floating object where the anchoring or making fast impedes or obstructs other water traffic shall sound on a whistle the sound signal specified for a watercraft at anchor in Part D of the Rules of the Road at Sea followed by:

- 1) a series of at least six separate strokes on the bell when it can be passed as if the place had been marked with a starboard mark, north cardinal mark or west cardinal mark; or by
- 2) a series of at least six double strokes on the bell when it can be passed as if the place had been marked with a port mark, south cardinal mark or east cardinal mark.

## **Specific provisions concerning navigation in canals and through movable bridges**

### **Section 33 (543/2021)**

#### **Procedures to be complied with when navigating in canals and through movable bridges**

When navigating a watercraft in canals or through movable bridges, the special care and caution provided in section 5 and the procedures relating to approaching them, the order of arrival and locking shall be complied with. A watercraft participating in rescue operations and a watercraft used by an authority in an urgent official duty and, where required by the duty, a watercraft of the Defence Forces, shall have priority over other watercraft to access a canal with locks.

Swimming is prohibited in canals and at movable bridges. Access to a canal with locks may be prohibited or it may be restricted when navigating a certain type of watercraft if the canal cannot be considered sufficiently safe for the master of said watercraft type, for a person transported on it or for the watercraft, taking into consideration the age and structure of the canal and the locks used on it.

The Finnish Transport and Communications Agency may issue more detailed regulations on approaching canals and movable bridges and the procedures to be complied with at them and on the order of arrival relating to locking other than that referred to in subsection 1.

The Finnish Transport and Communications Agency may issue more detailed regulations also on the requirements relating to the use of watercraft and their equipment and gear and on watercraft types referred to in subsection 2 at canals with locks where a prohibition of use or a restriction of the watercraft type shall be complied with.

## **Section 34**

### **Navigation in the Saimaa Canal lease area with a sailboat**

A watercraft equipped with sails may navigate in the Saimaa Canal only with engine power or under tow without sail.

## **Section 35**

### **Speed limit when navigating in canals and through movable bridges**

The standard speed limit when navigating in a lock and in open canals and through movable bridges is nine kilometres per hour unless otherwise ordered by the Finnish Transport and Communications Agency.

The beginning and end of a speed limit zone is indicated with a speed limit sign.

The speed limit does not apply to the use of a watercraft participating in rescue operations or used by an authority in an urgent official duty provided that necessary caution is exercised in its use.

## **Section 36**

## **Notification of information on a watercraft used for merchant shipping in canal areas**

When navigating in canal areas, the master of a watercraft used for merchant shipping shall, on request, report to the party providing access services for canals and movable bridges information on the watercraft, its route and cargo or on a timber float under the responsibility of the master of the watercraft.

## **Section 37**

### **Smoking and open flame**

Smoking and an open flame are forbidden in the vicinity of a watercraft transporting explosives, flammable liquids or other inflammable goods.

## **Section 38**

### **Stopping or slowing-down of traffic**

No one navigating in canals and through movable bridges is entitled to receive compensation from the State of Finland due to traffic stopping or slowing down as a result of congestion, an accident, damage to the canal or the movable bridge, necessary repair work, water discharge or another corresponding reason.

## **Section 39**

### **Canal fees**

No fees, compensations or remunerations are collected for the use of canals during their confirmed opening hours.

Separate provisions are issued on the permit fees of the Saimaa Canal and the remunerations collected for opening the canals and movable bridges at other times than at their designated opening hours.

## **Chapter 3**

### **Special qualification requirements for navigation**

## **Section 40**

### **Requirements set on the master of a certain watercraft type**

The master of a type of watercraft which, due to its type, size, purpose or operating area can be estimated to present a danger to the health of persons or to the environment shall have reached the age of 18 and shall show that he or she has the knowledge and skills necessary to operate it.

The Finnish Transport and Communications Agency may issue more detailed regulations on the type, size, purpose and operating area of the type of watercraft referred to in subsection 1 and on the requirements set on the master of the watercraft.

## **Section 41 (543/2021)**

### **Qualification requirements of the master of a pleasure yacht and the International Certificate for Operators of Pleasure Craft**

The master of a pleasure yacht shall have reached the age of 18 and hold the International Certificate for Operators of Pleasure Craft.

The prerequisites for obtaining the International Certificate for Operators of Pleasure Craft are:

- 1) a minimum age of 16 years;
- 2) at least a valid category 1 driving licence in accordance with the Driving Licence Act ([386/2011](#)) or at least proof of the fulfilment of the driving health requirements of category 1 in accordance with the provisions of the Driving Licence Act;
- 3) fulfilment of the examination requirements set in the United Nations Economic Commission for Europe Inland Water Committee Resolution No 40 for the water areas and watercraft referred to in the Resolution and its Annexes; in accordance with the Resolution, the water areas are divided into inland waters and coastal waters; the types of watercraft are divided into motorised craft and sailing craft.

An applicant for the International Certificate for Operators of Pleasure Craft shall prove that he or she fulfils the examination requirements referred to in subsection 2, paragraph 3:

1) with regard to boating theory knowledge, with a certificate issued by an approved maritime training provider referred to in chapter 12 of the Act on Transport Services or such boating training provider that monitors its training and certification with a quality system and whose quality system relating to training and certification has been audited by the Finnish Transport and Communications Agency itself or by an external expert auditor approved by the Finnish Transport and Communications Agency no more than five years prior to the date of the certificate; or with

2) a test arranged by the Finnish Transport and Communications Agency; and

3) with regard to boating knowledge in practice, with a certificate of boating knowledge in practice issued by a boating training provider or a maritime training provider or with a certificate for operators of charter boats referred to in section 102 of the Act on Transport Services or in another reliable manner.

The prerequisites for obtaining the International Certificate for Operators of Pleasure Craft for motorised watercraft for navigation on coastal waters may also be fulfilled with a valid boat master's certificate for cargo ships or passenger ships referred to in section 99 of the Act on Transport Services or with another higher-level deck officer's certificate of competency intended for professional seafaring.

The original International Certificate for Operators of Pleasure Craft shall be kept in the pleasure craft underway.

The Finnish Transport and Communications Agency may issue more detailed regulations on the meeting of the examination requirements referred to in subsection 2, paragraph 3 and on the audit of the quality system referred to in subsection 3 and on the arrangement of the test by the Finnish Transport and Communications Agency.

## **Section 42**

### **Water traffic controller**

The water traffic controller referred to in section 11, subsection 2 shall have reached the age of 18. He or she shall consent to the task and be given the instruction required by the task.

The provisions on criminal liability for acts in office are applied to the person ordered to control water traffic while performing water traffic control. Provisions on liability for damages are laid down in the Tort Liability Act.

### **Section 43**

#### **User of the radio transmitter of a watercraft**

Provisions on the radio licence required for the possession and use of radio transmitters for maritime mobile service and the proficiency certificate needed for the use of the transmitter are issued in the Information Society Code (917/2014).

### **Section 44**

#### **Application for and granting of an International Certificate for Operators of Pleasure Craft**

The Finnish Transport and Communications Agency issues the International Certificate for Operators of Pleasure Craft referred to in section 41 on application and enters information on it in the transport register referred to in the Act on Transport Services. A prerequisite for the issuance of the Certificate for Operators of Pleasure Craft is that the applicant meets the requirements provided in section 41.

The application for the Certificate for Operators of Pleasure Craft shall be appended with all the information and clarifications necessary for its issuance and with a passport photo. When applying for the Certificate for Operators of Pleasure Craft for the first time, the applicant shall present proof of identity in a reliable manner.

### **Section 45**

#### **Validity and renewal of the International Certificate for Operators of Pleasure Craft**

The International Certificate for Operators of Pleasure Craft is in force for an indefinite period.

If the Certificate for Operators of Pleasure Craft has been issued for a fixed term and its holder wishes to continue its validity, the holder shall apply for the certificate again and submit to the

Finnish Transport and Communications Agency a copy of the driving licence or medical certificate referred to in section 41, subsection 2 and of the previous Certificate for Operators of Pleasure Craft.

A new Certificate for Operators of Pleasure Craft may be issued to replace a lost or destroyed certificate without a statement on the state of health or fulfilment of the examination requirements.

## **Section 46**

### **Proficiency requirements of an operator of a charter boat**

Provisions on the certificates of proficiency required from an operator of a charter boat are issued in section 102 of the Act on Transport Services.

## **Chapter 4**

### **Marking of waterways and control of water traffic**

#### **Navigational aids**

## **Section 47**

### **Navigational aids**

Navigational aids are physical structures or devices located in a water area or on shore to mark a channel or to otherwise control and safeguard water traffic, virtual information on a navigational aid or a combination of these. (543/2021)

Fixed navigational aids are electronic positioning stations and devices, radar marks, lighthouses, leading lights and sector lights, leading beacons, edge marks, cairns and other navigation marks and other fixed devices comparable to them.

Floating navigational aids are buoys and spar buoys.

Instead of physical navigational aids, virtual information on a navigational aid may be used temporarily where required by weather conditions or other circumstances or permanently if the Finnish Transport and Communications Agency deems it appropriate under section 49. (543/2021)

## **Section 48**

### **Issue of regulations on navigational aids**

The Finnish Transport and Communications Agency may issue regulations on:

- 1) the marking and lighting of channels and the maritime buoyage system used;
- 2) the names, structure, meaning and colour and light characters of navigational aids and other devices used to mark channels; and on
- 3) the characteristics, requirements and use of navigational aids, their construction, installation, relocation and removal and on their operating time. (543/2021)

## **Section 49 (543/2011)**

### **Designation as a public channel, and installation and removal of a navigational aid**

In addition to the provisions of chapter 10, sections 2-4 of the Water Act on designation as a public channel and of section 5 on installation of navigational aids, approval for the designation of the channel and the installation of a navigational aid shall be applied for from the Finnish Transport and Communications Agency. A prerequisite for approval of the application is that the channel and the navigational aids are appropriate and do not endanger traffic safety and that the information on them is adequate. The decision shall set conditions for the construction, installation and maintenance of the channel and its navigational aids. The applicant shall submit information on the channel and its navigational aids and their locations and the completed installation to the Finnish Transport and Communications Agency for entry in the information systems and marking on nautical charts.

A navigational aid referred to above in subsection 1 may not be changed or removed without the approval of the Finnish Transport and Communications Agency.

If a navigational aid referred to in a decision referred to in subsection 1 is defective or misleading, the Finnish Transport and Communications Agency shall request the party responsible for maintenance to repair the device within a fixed period. If the device is not repaired in spite of the request, the Finnish Transport and Communications Agency may repair the device at the expense of the party responsible for maintenance.

Navigational aids referred to in section 47 may not be used to mark a private channel.

The Finnish Transport and Communications Agency may issue more detailed regulations on the contents of the information and the mode of transmission for submitting the information referred to in subsection 1.

## **Section 50**

### **Light or device that causes confusion**

Installation of any advertising or signal light or other device that could be mistaken for a navigational aid or could otherwise pose a danger to water traffic is forbidden in the vicinity of a channel or other water traffic area.

## **Section 51 (543/2021)**

### **Mooring to a navigational aid**

Mooring to a navigational aid referred to in section 47 of a watercraft or attaching thereto of fishing gear or other object that endangers the functioning of the navigational aid is forbidden.

## **Section 52 (543/2021)**

### **Non-functioning navigational aid**

If a navigational aid referred to in section 47 is not functioning in the manner indicated or if any such device has disappeared, been damaged or has drifted or causes confusion for some other reason, anyone who notices the situation shall report it to the Finnish Transport and Communications Agency.

## **Stop signals used in water traffic control, water traffic signs and lights**

## Section 53

### Stop signals given to a watercraft

Stop signals are the international stop signals transmitted through a visual, auditory and radio communication medium, as well as the specific stop-signal signboard (Figure 1), and a red flashing light displayed simultaneously with a flashing blue emergency light. Of the international stop signals, priority shall be given to the letter L code signal, which is a yellow-black-squared signal flag (Figure 2) and short-long-short-short (.-. .) in Morse code. The stop-signal signboard (Figure 1) may display the word STOP or a reference to an authority. The visible reverse side of the board shall be grey unless a prohibition is issued to both directions with the sign. The board shall have a surface reflecting the colour in question and it shall be illuminated, where necessary.

The Finnish Transport and Communications Agency may issue more detailed regulations on the positioning, colours, structure and dimensioning of other than the international stop signals.



Figure 1. An example of a stop-signal signboard



Figure 2. L signal flag

## Section 54

## **Installation of water traffic signs and light signals**

The provisions of chapter 10, section 5 of the Water Act on the right of the party maintaining a public channel to install navigational aids in a water area or on its shore shall be complied with when installing water traffic signs and light signals.

The maintainer of a channel attends to the positioning of a water traffic sign and a light signal in a public channel and the municipality attends to their positioning in areas outside a public channel. The competent Centre for Economic Development, Transport and the Environment attends to the marking of a ferry channel crossing point and the positioning of the light signals in a ferry channel. The owner of a structure that restricts overhead clearance, an overhead cable, a cable or a pipeline is responsible for the positioning of a restricted overhead clearance sign, an overhead cable-crossing sign and a cable and pipeline panel and their directional signs. (543/2021)

The Finnish Transport and Communications Agency shall be notified of the positioning of a water traffic sign and a light signal with their positioning data. The Finnish Transport and Communications Agency may remove or relocate an inappropriately installed water traffic sign and light signal.

If the party referred to in subsection 2 has not installed a water traffic sign or light signal or if the water traffic sign or light signal installed by it is defective or misleading, the Finnish Transport and Communications Agency shall request said party to install the water traffic sign or light signal in question or to repair it. If the water traffic sign or light signal is not, in spite of the request, installed or repaired, the Finnish Transport and Communications Agency may install or repair it at the expense of said party.

The Finnish Transport and Communications Agency may issue more detailed regulations on the contents of the information and the mode of transmission for submitting it in accordance with subsection 3.

## **Section 55**

### **Light signal**

Light signals can be used to control water traffic in canals and at movable bridges, in narrows, steep bends, at ferry docks, at ice road and channel crossings and in harbour areas.

The light signals shall be fitted on black back plates installed on harbour, lock or bridge structures or positioned on the right-hand side of the channel in the direction of traffic.

The light signals have the following meanings (Annex 1, Figure 1):

- 1) Two fixed red lights side by side: No entry.
- 2) One fixed red light: No entry.
- 3) Two fixed green lights side by side: Entry permitted.
- 4) One fixed green light: Entry permitted. Any factors restricting traffic are indicated with their own signals.
- 5) One flashing blue light: Overhead clearance is limited due to a movable bridge in a closed position or to a gate limiting the overhead clearance. Watercraft that are higher than the overhead clearance indicated by the restricted overhead clearance traffic sign in accordance with the figure in section 81, installed on the bridge or gate, may not pass under the bridge or gate. The watercraft user bears the responsibility for the adequacy of overhead clearance.
- 6) One fixed white light: Arrival of a watercraft or timber float has been observed but its user shall wait for passage instructions.
- 7) One flashing white light: Arrival of a watercraft or timber float has been observed. The lock or channel is becoming available and the watercraft or timber float may prepare to continue passage.
- 8) One flashing yellow light: A lock, movable bridge or an ice road and channel crossing or another special point of a channel is unmanned or operates under a self-service principle. Passage is allowed at one's own responsibility with caution. Any factors restricting traffic are indicated with their own signals or with traffic signs.

## **Section 56**

### **Positioning and design of water traffic signs and light signals (543/2021)**

Water traffic signs shall be positioned so that they are easily perceptible and so that they do not impede traffic.

The visible reverse side of the board shall be grey unless a prohibition, order or information is issued in both directions with the sign.

The water traffic signs shall have a surface reflecting the colour in question and they shall be illuminated, where necessary.

The Finnish Transport and Communications Agency may issue more detailed regulations on the positioning, colours, structure and dimensioning of water traffic signs and light signals. The Finnish Transport and Communications Agency may issue more detailed regulations also on the use of light signals in narrows, steep bends, at ferry docks, at ice road and channel crossings and in harbour areas and on the use of water traffic sign and light signal combinations. (543/2021)

The Finnish Transport and Communications Agency may issue more detailed regulations on the marking of cables on the surface of water and underwater and overhead cables and of other corresponding structures and devices in a water body or crossing it.

## **Section 57**

### **Application zone of water traffic signs**

A water traffic sign indicates the starting point of its application zone unless separately specified by an auxiliary sign or otherwise. The end of the application zone is indicated by a sign showing the end of a prohibition or a restriction. If the end of the application zone is not separately indicated by the signs or auxiliary signs referred to above, the application zone extends to the corresponding sign positioned for the opposite direction of traffic.

The Finnish Transport and Communications Agency may issue more detailed regulations on the marking of the application zone of water traffic signs. (543/2021)

## **Section 58**

### **Classification of water traffic signs**

Water traffic signs are:

- 1) prohibitory signs;
- 2) mandatory signs;
- 3) restrictive signs;
- 4) warning signs;
- 5) informative signs;
- 6) auxiliary signs;
- 7) cable and pipeline panels and directional signs.

## **Section 59**

### **Prohibitory sign**

A prohibitory sign prohibits a certain activity by a waterway user.

The prohibitory sign is square-shaped. The sides of the sign are red. The white centre of the sign displays a symbol or marking indicating the prohibition with a diagonal red bar across the white box.

## **Section 60**

### **Mandatory sign**

A mandatory sign orders a waterway user to act in the way indicated by the sign.

The mandatory sign is square-shaped. The sides of the sign are red. The white centre of the sign displays a symbol or marking indicating the order.

## **Section 61**

### **Restrictive sign**

A restrictive sign restricts the activities of a waterway user.

The restrictive sign is square-shaped. The sides of the sign are red. The white centre of the sign displays a symbol or marking indicating the restriction.

## **Section 62**

### **Warning sign**

A warning sign is used to indicate a point in a water area that poses a danger to water traffic.

The warning sign is square-shaped. The sides of the sign are red. The white centre of the sign displays a symbol or marking indicating the warning.

## **Section 63**

### **Informative sign**

An informative sign provides information necessary for the waterway user.

The informative sign is square-shaped. The blue-coloured sign displays a white symbol or marking indicating the nature of the information.

## **Section 64**

### **Auxiliary sign**

A rectangular white panel may be used as an auxiliary sign together with a water traffic sign concerning a prohibition, order, restriction, warning or information to clarify the meaning or target of the main sign.

## **Section 65**

### **Cable and pipeline panel and directional sign**

A cable and pipeline panel and the directional sign are used to indicate that a cable or pipeline has been laid at the marked position in a channel or other water area.

## **Prohibitory signs**

### **Section 66**

#### **No anchoring**

The no anchoring sign prohibits anchoring and trailing of anchors, their cables and chains in an area starting 100 metres before the sign and ending 100 metres after the sign. The sign is positioned on each side of the channel at the position where anchor use is prohibited due to an underwater cable or structure so that the sign is visible when proceeding in either direction. The sign displays a symbol representing an anchor (Figure 3).



Figure 3. No anchoring

### **Section 67**

#### **No berthing**

The no berthing sign prohibits anchoring or making fast to the shore or dock within the application zone indicated by an auxiliary sign. The sign displays the letter P (Figure 4).



Figure 4. No berthing

## **Section 68**

### **No making fast to bank**

The no making fast to bank sign prohibits the making fast to the shore or dock of a watercraft and a timber float for 50 metres on each side of the sign unless the application zone has been otherwise indicated by an auxiliary sign. The sign displays a symbol representing a bollard and a rope (Figure 5).



Figure 5. No making fast to bank

## **Section 69**

### **No overtaking**

The no-overtaking sign prohibits the overtaking of a watercraft and a timber float.

The sign is positioned on the right-hand side of the channel in the direction of traffic. The sign has two parallel arrows (Figure 6).



Figure 6. No overtaking

## Section 70

### No passing or overtaking

The no passing or overtaking sign prohibits both the passing of an oncoming watercraft and the overtaking of another watercraft in a section of a channel between the sign and a sign positioned for the opposite direction of traffic or to indicate the end of a prohibition unless the application zone of the prohibition has been indicated otherwise. The prohibition need not be complied with when passing a timber float or a watercraft of under 20 metres in length if there are no impediments to free passage. The sign is positioned on the right-hand side of the channel in the direction of traffic. The sign has two arrows pointing in opposite directions (Figure 7).



Figure 7. No passing or overtaking

## Section 71

### Do not create wash

Within the application zone of the sign for do not create wash, a watercraft user shall, by adjusting speed, avoid creating such excess wash or other flow effects in water that may cause damage to stationary or moving watercraft, structures or other natural environments and to the use of the water body. A watercraft shall be able, however, to use the speed required for safe manoeuvring.

The application zone of the sign is specified by an auxiliary sign, where necessary. The sign displays a symbol representing waves (Figure 8).



Figure 8. Do not create wash

## **Section 72**

### **Water skiing prohibited**

The water skiing prohibited sign prohibits water skiing. The application zone of the sign is specified by an auxiliary sign, where necessary. The sign displays a symbol representing a water skier (Figure 9).



Figure 9. Water skiing prohibited

## **Section 73**

### **Use of sailboards prohibited**

The use of sailboards prohibited sign prohibits the use of sailboards. The application zone of the sign is specified by an auxiliary sign, where necessary. The sign displays a symbol representing a sailboarder.



Figure 10. Use of sailboards prohibited

## Section 74

### Motorised craft prohibited

The motorised craft prohibited sign prohibits the use of motor-driven watercraft. Restrictions relating to navigation and the application zone of the sign are specified by an auxiliary sign, where necessary. The sign displays a symbol representing a propeller.



Figure 11. Motorised craft prohibited

## Section 75

### Water bikes prohibited

The water bikes prohibited sign prohibits riding on water bikes or on other watercraft of the corresponding type. The application zone of the sign is specified by an auxiliary sign, where necessary. The sign displays a symbol representing a rider on a water bike (Figure 12).



Figure 12. Water bikes prohibited

## Section 76

### Swimming prohibited

The swimming prohibited sign prohibits swimming in a water area. The application zone of the sign is specified by an auxiliary sign, where necessary. The sign displays a symbol representing a swimmer and waves (Figure 13).



Figure 13. Swimming prohibited

## Mandatory signs

### Section 77

#### Stop sign

The stop sign is used in connection with light signals and it indicates the position where a watercraft or the front part of a timber float has to stop at the latest when the light signals exhibit a prohibition to proceed. A horizontal line runs at the centre of the sign. The sign may be positioned on either the right-hand side or the left-hand side of the channel in the direction of traffic depending on the terrain and structures of the waiting place (Figure 14).

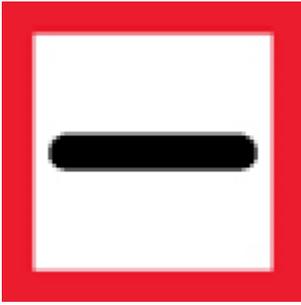


Figure 14. Stop sign

## Section 78

### Give a sound signal, type of signal

The sound signal sign indicates the position where a watercraft shall give a sound signal, the type of which is indicated by an auxiliary sign. There is a circle at the centre of the sign. The sign is positioned on the right-hand side of the channel in the direction of traffic (Figure 15).

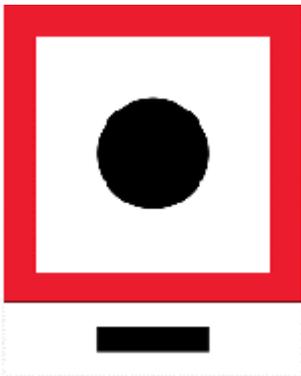


Figure 15. Give a sound signal

## Section 79

### Obligation to enter into a radiotelephone link

When passing a sign obligating entry into a radiotelephone link, the watercraft shall enter into a radiotelephone link as ordered by the sign. The sign displays the abbreviation of the radiotelephone type and, below it, the number of the calling channel. All necessary additional information for communication is given by an auxiliary sign. The sign is positioned in an easily visible place in the direction of traffic (Figure 16).



Figure 16. Obligation to enter into a radiotelephone link

## **Restrictive signs**

### **Section 80**

#### **Speed limit**

The speed limit sign indicates the maximum speed allowed in kilometres per hour (km/h). Any specifications of the application zone of the speed limit or the speed limit in knots are given by an auxiliary sign. Where possible, the speed limit sign concerning a channel is positioned on the right-hand side of the channel in the direction of traffic (Figure 17).



Figure 17. Speed limit

### **Section 81**

#### **Headroom limited**

The headroom limited sign indicates that overhead clearance is restricted in a water area at the position of the sign or in a section equipped with said signs. The numbers at the centre of the sign indicate the maximum overhead clearance in metres (Figure 18). The top of the sign displays a triangle pointing downwards. The sign may be positioned either on the right-hand side of the channel in the direction of traffic or on both sides of it with the exception of bridges where it is

fitted on a bridge truss. With regard to overhead cable crossings, the sign may be attached directly to the cable. If the sign is equipped with an auxiliary sign showing the effective direction (Figure 34), it indicates the maximum overhead clearance in the direction indicated by the auxiliary sign.



Figure 18. Headroom limited

## Section 82

### Depth of water limited

The depth of water limited sign indicates that the depth of water is limited in a channel at the position of the sign or in a section equipped with said signs. The numbers at the centre of the sign indicate the maximum depth of water in metres. The bottom of the sign displays a triangle pointing upwards (Figure 19).



Figure 19. Depth of water limited

## Section 83

### Width of passage or channel limited

The width of passage or channel limited sign indicates that the width of passage is limited in a channel at the position of the sign or in a section equipped with said signs. The numbers at the centre of the sign indicate the maximum width of the watercraft in metres. The sides of the sign

have triangles and the numbers between the apexes of the triangles indicate the width. The sign may be positioned on either the right-hand side or the left-hand side of the channel in the direction of traffic (Figure 20).



Figure 20. Width of passage or channel limited

## Warning signs

### Section 84

#### Warning sign

The warning sign indicates that special caution needs to be observed by water traffic in its vicinity. The cause for the warning and the specifications regarding the application zone of the sign are given by an auxiliary sign, where necessary. A vertical line runs at the centre of the sign (Figure 21).



Figure 21. Warning sign

### Section 85

#### Strong current and direction

The strong current sign gives a warning that, after the sign, the current in the channel can interfere with the navigation of a watercraft. The direction of current is indicated by an auxiliary sign, where necessary. The symbol at the centre of the sign represents a current. The sign may be positioned on either the right-hand side or the left-hand side of the channel in the direction of traffic (Figure 22).

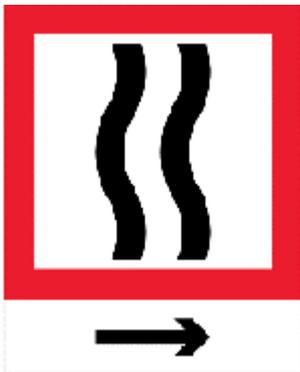


Figure 22. Strong current and direction

## Section 86

### Edge of the channel

The edge of the channel sign gives a warning about the edge of the channel and the sign indicates the distance to the edge of the channel. The broad triangle at the centre of the sign gives the perpendicular direction to the edge of the channel and the numbers inside the triangle indicate the distance of the channel edge in metres from the sign (Figure 23).



Figure 23. Edge of the channel

## Section 87

### Warning of beach area

The beach area sign gives a warning about a swimming place. The sign displays a symbol representing the head of a swimmer and waves (Figure 24).



Figure 24. Warning of beach area

## **Informative signs**

### **Section 88**

#### **Berthing permitted**

The berthing permitted sign indicates the docks reserved and other sites intended for berthing. Making fast of a watercraft or a timber float to the bank is permitted or, if this is not possible, their anchoring is permitted on the side of the channel where the sign is positioned. The sign displays the letter P (Figure 25.) The sign may be equipped with an auxiliary sign in accordance with Figure 34 indicating the effective direction of the main sign.



Figure 25. Berthing permitted

### **Section 89**

#### **Making fast to the bank permitted**

The making fast to the bank sign indicates that a watercraft or a timber float may be made fast to the bank or dock at the position of the sign and 50 metres on both sides of it unless the application zone has been otherwise indicated by an auxiliary sign. The sign displays a symbol representing a bollard and a rope (Figure 26).



Figure 26. Making fast to the bank permitted

## **Section 90 (543/2021)**

### **Overhead cable crossing**

The overhead cable crossing sign indicates an overhead cable crossing a water area. The sign may be positioned either on the right-hand shore in the direction of traffic or on both shores of the water area at the point where the wire alignment crosses the channel. The sign displays a symbol representing a bolt of lightning (Figure 27). The sign is used together with the headroom limited sign placed on top. If there are several overhead cables in close proximity, the outermost cables are marked with a combination of the headroom limited and overhead cable crossing signs and with a possible auxiliary panel. In that case, the headroom limited sign indicates the safe height for passing under the lowest overhead cable. No overhead cable sign is used in connection with a headroom limited sign attached to the overhead cable.



Figure 27. Overhead cable crossing

## Section 91

### Telephone

The telephone sign indicates access to a public telephone. The sign displays a symbol representing a telephone (Figure 28). The sign may be equipped with an auxiliary panel in accordance with Figure 35 stating the location of or distance to the phone.



Figure 28. Telephone

## Section 92

### Ferry-boat crossing

The sign depicting a ferry-boat indicates that a ferry lane crosses a water area or a possible channel in it. The sign displays a symbol representing a ferry-boat. In the case of a cable ferry, which is not moving independently, the sign also displays a white line representing a cable (Figure 29). An auxiliary panel with the text "Varo vajeria", (in English: Watch out for ferry cable) may be used in connection with the sign. In the case of a ferry-boat that is moving independently, the sign does not display the white line representing a cable (Figure 30). If the ferry lane crosses a channel used in merchant shipping, a sign in accordance with Figure 15 (give a sound signal) is used in connection with the ferry-boat crossing sign and it is positioned on top with its auxiliary panel. The signs are placed in a clearly visible place at a distance from the crossing ferry lane that is adequate in case the watercraft needs to be stopped. If the ferry lane crosses a shallow channel or no public channel crosses the ferry lane, the signs indicating a ferry-boat crossing may alternatively be placed on the ends of the docks.



Figure 29. Ferry-boat crossing (not moving independently)



Figure 30. Ferry-boat crossing (moving independently)

### **Section 93**

#### **Possibility of a radiotelephone link**

The radiotelephone sign indicates that there is a possibility for a radiotelephone link from the channel using the calling channel indicated on the sign. The sign displays the abbreviation of the radiotelephone type and the number of the calling channel below it (Figure 31). The sign is positioned in an easily visible place in the direction of traffic.



Figure 31. Possibility of a radiotelephone link

### **Section 94**

#### **Drinking water supply**

The drinking water supply sign indicates access to drinking water. The sign displays a symbol representing a water tap (Figure 32). The sign may also be equipped with an auxiliary sign with information on the location of the drinking water supply.



Figure 32. Drinking water supply

## **Section 95**

### **End of a prohibition, an obligation or a restriction**

The end sign indicates the end of a prohibition, an obligation or a restriction. The sign displays a diagonal line (Figure 33). The sign is positioned on the right-hand side in the direction of traffic or on the reverse side of a prohibitory, mandatory or restrictive sign meant for the opposite direction of traffic.



Figure 33. End of a prohibition, an obligation or a restriction

## **Auxiliary signs**

### **Section 96**

#### **Auxiliary sign showing the direction where the main sign applies**

The auxiliary sign shows the direction where the main sign applies. The sign is a right-angle triangle and its right angle indicates the direction where the main sign applies (Figure 34a). The hypotenuse of the triangle is of the height of the main sign and it is placed immediately next to the main sign.



Figure 34a. Auxiliary sign showing the direction where the main sign applies

In order to increase perceptibility, the auxiliary sign indicating the direction where the main sign applies may have a rectangular base the colour of which is determined on the basis of the colours of the main sign (Figure 34b).

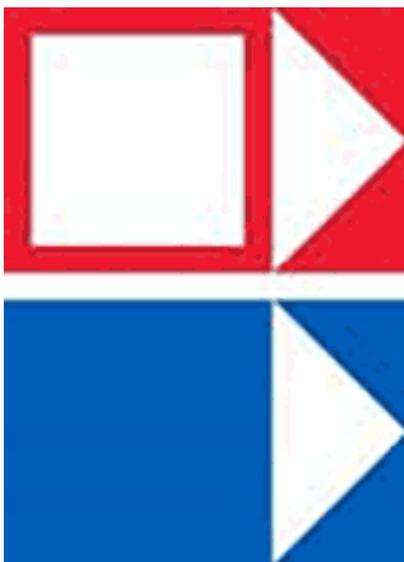


Figure 34b. Rectangular base of an auxiliary sign

## Section 97

### Auxiliary panel

Auxiliary panels specify the meaning of the main sign. An auxiliary panel is rectangular and it is of the same width as the main sign (Figures 35, 15 and 22). Auxiliary panels indicating a distance or an effective direction are placed above the main sign. Other auxiliary panels relating to targeting or specification of the main sign are placed under the main sign.



Figure 35. Auxiliary panel

## Cable and pipeline panels and directional signs

### Section 98

#### Cable and pipeline panel

In a channel or other water area used for navigation, cable and pipeline panels indicate that underwater cables or water supply, sewerage or other pipelines have been laid in the water area at the position of the sign. The cable and pipeline panels are rectangular and they display on a chrome-coloured base in black capital letters the word KAAPELI (KABEL, CABLE) in the cable panel or a reference to the quality of the cable (for example VALOKUITUKAAPELI; in English: fibre optic cable) and in the pipeline panel a reference to the quality of the pipeline (for example, MAAKAASU or VESIJOHTO; in English: natural gas or water supply pipeline) (Figure 36). Cable and pipeline panels are placed on both shores of the water area perpendicular to the direction of the cable or a water supply, sewerage or other pipeline so that the vertical line connecting the panels indicates the location of the cable or the water supply, sewerage or other pipeline.



Figure 36. Cable and pipeline panel

## Section 99

### Directional signs

Directional signs may be used to specify the crossing point of a cable or pipeline and the channel if this cannot be indicated clearly enough with the cable panels. The vertical line through the lower (Figure 37a) and the upper (Figure 37b) directional signs indicates the location of the cable or pipeline in the channel. The lower directional sign is a circular red sign with a white border. The width of the white border is  $\frac{1}{8}$  of the diameter of the sign. The upper directional sign consists of two signs one on top of the other and the one above is the same as the lower directional sign. Immediately below it is a square-shaped white sign with a red border, the width of which is  $\frac{1}{8}$  of the diagonal of the sign. The heights of the directional signs are designed to be easily perceptible from the channel crossing the cable.



Figure 37a. Directional sign, lower

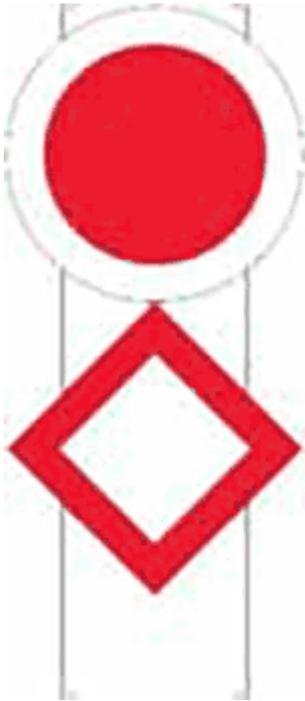


Figure 37b. Directional sign, upper

## Chapter 5

### Prohibitions and restrictions and permit for races and practices

#### Section 100

##### Temporary closure of a water area

The Finnish Transport and Communications Agency may order that, due to an accident or another corresponding reason, water traffic is temporarily interrupted or restricted in a water area. The waterway users shall be duly informed of the matter.

#### Section 101

##### Regional and watercraft-type specific prohibitions and restrictions

The Finnish Transport and Communications Agency may prohibit navigation on a watercraft for a fixed period or until further notice in a specified water area or restrict it if the prohibition or restriction is deemed necessary to safeguard traffic, the environment, fishery or another industry, or for the general use of nature for recreation or another public interest.

The Finnish Transport and Communications Agency may prohibit the use of a certain type of motor-driven watercraft at a regional level or restrict it if its use causes significant harm to nature or the environment, to fishery or another industry, the general use of nature for recreation or another public interest.

With the exception of a speed limit, the prohibition or restriction does not apply to the use of a watercraft necessary for work or necessary due to the location of a residential property or the use of a watercraft by a person with a severe physical disability unless otherwise ordered in the decision on very serious grounds. Navigation on a watercraft necessary to attend to official, emergency medical service and rescue duties, to ensure the operations of the Defence Forces and for another comparable reason is permitted in spite of a prohibition or restriction.

## **Section 102**

### **Handling of prohibition and restriction matters**

A proposal for a prohibition or restriction referred to in section 101 may be made by a municipality or by a natural or legal person resident in the municipality or by an authority, community or the owner of the water area concerned. Proceedings for the imposition of a prohibition or restriction may also be instituted by the Finnish Transport Infrastructure Agency, the Finnish Transport and Communications Agency or a regional Centre for Economic Development, Transport and the Environment. A proposal for imposing a prohibition or restriction shall be submitted in writing to the Finnish Transport and Communications Agency. The proposal shall state the period of validity of and grounds for the prohibition or restriction and any other factors necessary for the handling of the matter. The water area for which a prohibition or restriction is applied shall be indicated on a map on an appropriate scale.

Before imposing a prohibition or restriction, the municipality whose area the prohibition or restriction concerns shall be heard and the authorities, communities and owners of the water area and others concerned shall be reserved a possibility to be heard. The Finnish Transport and Communications Agency shall announce the proposal by public notice. Provisions on a public notice are laid down in the Administrative Procedure Act (434/2003). (543/2021)

Objections to the proposal shall be submitted to the Finnish Transport and Communications Agency within 14 days of the issuing of the notice. (543/2021)

If a municipality imposes a prohibition or restriction, it shall be ordered in accordance with the proposal unless a derogation from the proposal is necessary due to equal treatment of citizens or regional coherence or for other special reasons.

The Finnish Transport and Communications Agency shall provide notification of its decision in compliance with the provisions of subsection 2 on hearing a proposal. (543/2021)

The Finnish Transport and Communications Agency shall provide notification of the decision to the party who made the proposal, the municipality in question and the supervisory authorities in question in good time before the entry into force of the prohibition or restriction.

### **Section 103**

#### **Entry into force of a prohibition and restriction**

The Finnish Transport and Communications Agency may order that, in spite of appeal, the decision on prohibition or restriction issued by it enters into force in the manner ordered in the decision after notification of the decision has been provided. The appeal authority may prohibit, however, the enforcement of the decision.

### **Section 104**

#### **Marking of a prohibition and restriction**

A prohibition or restriction shall be marked, where possible, in the water area concerned or in its vicinity. The maintainer of the channel is responsible for the marking of a prohibition or restriction in a public channel and the municipality whose territory the prohibition or restriction concerns elsewhere.

A speed limit shall be marked, where possible, in the nautical charts published by the authority responsible for national nautical charts or by a party authorised by it.

The water traffic signs in accordance with this Act are used as prohibitory and restrictive signs.

The provisions of chapter 10, section 5 of the Water Act on the right of the maintainer of a public channel to install navigational aids in a water body or on its shore shall be complied with when installing signs indicating a prohibition and restriction.

## **Section 105**

### **Amendment of a prohibition or restriction decision**

A decision on prohibition or restriction issued in accordance with section 101 may be amended if the circumstances that prevailed when the decision was made have materially changed or if they later have been found to have been materially different than presumed when the decision was issued. In that case, the provisions of section 102 on the handling of prohibition and restriction matters shall be complied with.

## **Section 106**

### **Permit for races, practices and other events**

In addition to the provisions on permit requirements elsewhere in the law, a permit shall be applied for from the municipal environmental protection authority for repeated or permanent arrangements of races, practices and other events with motor-driven watercraft in a water area. However, a permit is not needed for an area reserved for this purpose in a town plan or for an area for which an environmental permit referred to in the Environmental Protection Act (527/2014) has been granted.

A permit shall also be applied for the arrangement of a onetime event if significant harmful environmental impacts are expected to arise. The municipality may charge a fee for the permits referred to in subsection 1 and in this subsection. The fee charged by the municipality may not exceed the total cost of the service provided by the municipality. The bases for charges shall be specified in detail in a tariff approved by the municipality.

A permit for an event taking place in the area of several municipalities is granted by the competent Centre for Economic Development, Transport and the Environment. A permit for an event taking place in the areas of operation of several centres is granted by the competent Centre for Economic Development, Transport and the Environment in whose area of operation the event will mainly be held.

A condition for granting the permit referred to in this section is that the event fulfils sufficient safety requirements and that the activity does not pose unreasonable harm to nature or the environment, fishery, the general use of nature for recreation or another public interest. The permit may be granted only if the owner of the water area has consented to it. If the water area is jointly owned, the consent is decided on in accordance with the Act on Jointly Owned Areas (758/1989).

However, a permit is not needed for exercises of rescue services and search and rescue services, exercises of the authorities monitoring water traffic or for exercises of the Defence Forces.

If an event subject to a permit requires a temporary interruption or restriction of water traffic or a derogation from a regional prohibition or restriction, a permit of the Finnish Transport and Communications Agency shall be applied for it.

## **Chapter 6**

### **Requirements relating to watercraft and their equipment and gear**

#### **Section 107**

##### **Structure, equipment and gear, and condition of a watercraft**

A watercraft shall be safe with regard to its structure, equipment and gear, condition and other characteristics in the waterways where it is used.

The watercraft shall also be such that its use does not pose significant or unnecessary harm or disturbance to nature or the environment, fishery, the general use of nature for recreation or another public or private interest.

The Finnish Transport and Communications Agency may issue more detailed regulations on the structure and characteristics of charter boats and chartered watercraft and on the devices, equipment and gear, and accessories required for charter boats and chartered watercraft and on their properties, structure, quality, quantity, condition and use.

#### **Section 108**

## Equipment and gear of a watercraft

A motor-driven watercraft or a watercraft of over 5 metres in length and equipped with sails that is underway shall have the following equipment and gear in operational condition:

1) an approved life jacket, personal flotation device or immersion suit for each person onboard the watercraft; the life jacket, personal flotation device or immersion suit shall correspond to the size and weight of its user with regard to size class and buoyancy;

2) a pump or other means for removal of water;

3) oars or a paddle or an anchor with lines; the piece of equipment shall be appropriate with regard to the size and characteristics of the watercraft;

4) a portable fire extinguisher duly inspected at one-year intervals if the watercraft has a functioning flame-powered burner, an inboard engine or a stern-drive engine or an outboard engine of more than 25 kW except in the case of a personal watercraft; (543/2021)

5) a marine VHF radiotelephone if the watercraft is a pleasure yacht and it navigates in an area where vessel traffic service in accordance with the Vessel Traffic Service Act (623/2005) is provided. (543/2021)

A watercraft shall have signalling apparatus in accordance with Part D of the Rules of the Road at Sea.

Separate provisions are issued on lights and LPG appliances. The Finnish Transport and Communications Agency may approve the signal lanterns used in watercrafts and withdraw the approval already given if the signal lanterns do not comply with the requirements laid down. (543/2021)

The Finnish Transport and Communications Agency may issue more specific technical regulations on the characteristics, structure, quality, quantity, condition and use of watercraft and their engines and of the equipment and gear and accessories.

## **Section 109**

### **Derogations from the requirements relating to watercraft and their equipment and gear**

The Finnish Transport and Communications Agency may, for a special reason in an individual case, grant an exemption from the provisions and regulations relating to the structure, engine, equipment and gear and accessories of a watercraft if this does not endanger the safety of water traffic or persons or the environment and if the application of the provisions or regulations would be manifestly meaningless or unreasonably difficult. The Finnish Transport and Communications Agency may, for a special reason, on its own initiative or on application, grant exemptions relating to the equipment and gear and accessories of a watercraft also with regard to a specific type of watercraft intended for sports or leisure purposes if this does not endanger the safety of water traffic or persons or the environment and if the application of the provisions or regulations would be manifestly meaningless or unreasonably difficult. (543/2021)

The Finnish Transport and Communications Agency may, at the request of an organiser of a boating event, grant exemptions from the provisions and regulations relating to the structure and equipment and gear of watercraft to watercraft participating in the event provided that the exemptions do not adversely affect the safety of the watercraft.

## **Chapter 7**

### **Registration of watercraft**

## **Section 110**

### **Obligation to register a watercraft**

A watercraft equipped with an engine where engine power indicated by the manufacturer is at least 15 kW, and a watercraft equipped with an engine or sails and with a hull length of at least 5.5 metres indicated by the manufacturer shall be registered.

A watercraft is registered in the Transport Register referred to in Part VI of the Act on Transport Services.

A watercraft, the registration of which is not obligatory under this Act, may also be entered in the Transport Register.

A watercraft registered in the Transport Register may not simultaneously be registered in the Register of Ships in accordance with the Register of Ships Act (512/1993) maintained by the State Department of Åland or in the Register of Fishing Vessels in accordance with the Act on the Registration of Sea-going Vessels Engaged in Fishing and Aquaculture (690/2010).

A watercraft that is not connected to Finland due to ownership, holding or primary place of use shall not be registered in the Transport Register.

The nationality of a watercraft and the right to fly the Finnish flag are governed by chapter 1, section 1 of the Maritime Act.

## **Section 111**

### **Exemptions from the obligation to register**

The obligation to register does not apply to:

- 1) a watercraft owned by the Defence Forces or the Border Guard;
- 2) a watercraft belonging to a vessel registered under the Register of Ships Act or entered in the Register of Fishing Vessels under the Act on the Registration of Sea-going Vessels Engaged in Fishing and Aquaculture;
- 3) a vessel entered in the Register of Fishing Vessels Used in Inland Waterways under section 38 of the Act on Implementing the Common Fisheries Policy of the European Union (1048/2016);
- 4) a watercraft only used for racing.

## **Section 112**

### **Use of a watercraft subject to registration**

A watercraft subject to registration may not be used in water traffic before its entry in the register referred to in section 110, subsection 2. (543/2021)

A watercraft that is temporarily in Finland and whose owner or holder does not have a municipality of residence or domicile in Finland and that is duly registered elsewhere may be used in Finland without entry in the register. A watercraft owner or holder whose municipality of residence or domicile is in the Province of Åland may use said watercraft elsewhere in Finland without entry in the register.

A watercraft subject to registration that is sailed to Finland from abroad for the purpose of importing it need not be registered before import to Finland. In that case, the watercraft shall, however, be registered within seven days of the date of import to Finland. (543/2021)

## **Section 113**

### **Advance notification**

The Finnish Transport and Communications Agency may be notified of the identification and technical information on a new watercraft and watercraft engine that meet the requirements in force in Finland before the first registration of the watercraft and its engine in Finland. The facts that have been provided in the advance notification need not be reported in connection with the first registration referred to in section 114.

The advance notification may be made by the manufacturer, a representative of the manufacturer or the importer:

- 1) who is a legal person registered in Finland;
- 2) who is solvent and has expertise;
- 3) who has or receives from the manufacturer the technical information relating to the structure and equipment of the watercraft or engine and information on the declaration of conformity; and
- 4) who has agreed with the Finnish Transport and Communications Agency on the submission of the information.

Before concluding the agreement referred to in subsection 2, paragraph 4, the applicant shall prove to the Finnish Transport and Communications Agency that it meets the requirements referred to in subsection 2, paragraphs 1–3.

The Finnish Transport and Communications Agency may issue more detailed regulations on the submission of the advance notification and on the identification and technical information on the watercraft and engine required in the advance notification.

## **Section 114**

### **First registration**

Before putting a watercraft into water traffic service in Finland for the first time, the owner is liable to submit a written registration notification to the Finnish Transport and Communications Agency. A condition for the first registration is that a report is issued to the Finnish Transport and Communications Agency of:

- 1) the owner and holder of the watercraft and its engine;
- 2) the identification and technical information on the watercraft and its engine;
- 3) the conformity of the watercraft and its engine;
- 4) the purpose of use of the watercraft and its primary municipality of use.

The Finnish Transport and Communications Agency may issue more detailed regulations on the technical information to be submitted in the first registration on the watercraft and its engine.

## **Section 114a (543/2021)**

### **E-certificate**

An e-certificate means a fixed-term identifier indicating ownership of a watercraft.

The owner of a watercraft may request the e-certificate from the Finnish Transport and Communications Agency. During the validity of the certificate, the e-certificate holder may, using the e-services, check from the Transport Register the first and last names of the owner of the watercraft and the information on the watercraft and its engine. The certificate applicant may also cancel the e-certificate before the end of the fixed-term period.

If the owner has requested an e-certificate for a watercraft, it shall be handed over to the new owner when the watercraft is transferred to the new owner.

## **Section 115**

### **Registration of changes**

The owner of a registered watercraft is liable to notify the Finnish Transport and Communications Agency in writing of changes in the information referred to in section 114, subsection 2 and entered in the register within 30 days of the change. An owner or holder, who has a personal identity number, need not report changes concerning the name, personal identity number, address or municipality of residence or death, and a legal person whose business ID has been entered in the register need not report changes in the contact information.

The holder of a registered watercraft is liable to notify the Finnish Transport and Communications Agency in writing of changes in the technical information on the watercraft and its engine and on the purpose of use and the primary municipality of use of the watercraft, entered in the register, within 30 days of the change.

A condition for the registration of changes is that the Finnish Transport and Communications Agency is presented with a report on changes relating to:

- 1) the owner or holder of the watercraft or its engine; [\(543/2021\)](#)
- 2) the technical information on the watercraft or its engine;
- 3) the conformity of the watercraft or its engine; [\(543/2021\)](#)
- 4) the purpose of use of the watercraft or its primary municipality of use; or

5) temporary deregistration.

## **Section 115a (543/2021)**

### **Notification of transfer**

The previous owner of a watercraft may notify the new owner of the watercraft for entry in the register as the transferee. In that case, the previous owner shall also provide notification of the date of transfer of the watercraft.

The previous holder of a watercraft may provide notification of the termination of his or her holding and the date of its termination for entry in the register.

If the previous owner has transferred a watercraft to an unknown party, the Finnish Transport and Communications Agency may, following the notification of the previous owner and after receiving a reliable account of the transfer, enter the transfer of the watercraft to an unknown party in the register. The date on which the Finnish Transport and Communications Agency has received the notification and the account of the transfer it deems reliable shall be deemed as the date of transfer of the watercraft.

## **Section 116**

### **Final deregistration**

The owner of a registered watercraft is liable to notify the Finnish Transport and Communications Agency in writing of the permanent decommissioning of the watercraft within 30 days of its destruction, dismantling or demolishing.

The final deregistration is entered in the register only if a reliable report is presented to the Finnish Transport and Communications Agency regarding the destruction, dismantling or demolishing of the watercraft.

## **Section 116a (543/2021)**

### **Submission of a register notification**

A register notification may be submitted using the e-services of the Finnish Transport and Communications Agency or by submitting the notification to the Finnish Transport and Communications Agency. The party submitting the register notification or his or her representative may also submit the register notification in person to a registration service provider acting under an agreement.

The party submitting the register notification shall provide identification when he or she submits the notification in person to the registration service provider acting under an agreement. The party submitting the register notification shall use strong electronic identification when providing identification in the e-services of the Finnish Transport and Communications Agency. Provisions on strong electronic identification are laid down in the Act on the Provision of Digital Services (306/2019).

The register notification shall be appended with the necessary accounts on the fulfilment of the conditions referred to in sections 114, 115, 115a and 116.

## **Section 117**

### **Registration certificate**

The Finnish Transport and Communications Agency issues a registration certificate of the first registration of a watercraft. The names of the owner and holder are entered in the registration certificate. The Finnish Transport and Communications Agency may issue more detailed regulations on what technical information on the watercraft and its engine are entered in the registration certificate.

Information on the Finnish nationality of the watercraft is entered in the registration certificate if the vessel is Finnish in the manner referred to in chapter 1, section 1 of the Maritime Act at the time of its registration.

The Finnish Transport and Communications Agency grants a new registration certificate if the information entered in the registration certificate changes or if the registration certificate is lost.

The registration certificate shall be kept on board the watercraft when underway if the information on the watercraft entered in the Transport Register cannot otherwise be verified. However, the

registration notification of first registration submitted to the Transport Register entitles the use of the watercraft without a registration certificate for 30 days from the submission of the registration notification.

The Finnish Transport and Communications Agency confirms the template for the registration certificate.

The Finnish Transport and Communications Agency is responsible for the preparation of the registration certificate and its delivery to the customer. The Finnish Transport and Communications Agency may attend to the task by acquiring the related service from a private or public service provider. The provisions of the Act on Transport Services shall be complied with when organising the task.

## **Section 118**

### **Registration number**

In connection with the first registration, the Finnish Transport and Communications Agency issues a registration number to the watercraft for identification. The registration number consists of a series of letters and numbers. The Finnish Transport and Communications Agency may issue more detailed regulations on the technical characteristics of the registration number and the attachment of it.

A watercraft subject to registration may not be used unless it is equipped with a registration number.

If a watercraft is also registered in the Register of Fishing Vessels Used in Inland Waterways referred to in section 111, paragraph 3, it is possible for the watercraft not to be equipped with the registration number in accordance with this Act.

## **Section 119**

### **Test plate**

Notwithstanding the provisions of section 112, subsection 1, the manufacturer, importer, vendor or repairer of a watercraft or an engine or other corresponding trader may use an unregistered

watercraft for test driving, promotional activities and other such activities directly related to the trade if the Finnish Transport and Communications Agency has issued a test plate to the trader upon a written application.

A test plate shall be valid until further notice. The test plate may be revoked if the trader has given notice of waiving it, if the trader has used the test plate in violation of this Act and the regulations issued under it, or if there are other special reasons for cancelling the test plate.

The Finnish Transport and Communications Agency issues a test plate certificate to the trader. The certificate shall be kept on board the watercraft when underway. An unregistered watercraft shall be equipped with a test plate if used in accordance with subsection 1.

The provisions of section 117, subsections 5 and 6 on a registration certificate apply to the test plate certificate.

The Finnish Transport and Communications Agency may issue more detailed regulations on the technical characteristics of a test plate and the attachment of it to the watercraft and on what information on the trader, entered in the register, is entered in the certificate.

## **Chapter 8**

### **Water traffic offence and water traffic violation**

#### **Section 120**

##### **Water traffic offence**

Anyone who, intentionally or through negligence, violates

- 1) the general obligations relating to the use of a watercraft laid down in section 5, subsection 1;
- 2) the provisions of section 6, subsections 3 or 4 on the responsibility of the relinquisher of a watercraft;
- 3) the provisions of section 7 on the overall responsibility of the master with the exception of the equipment and gear referred to in section 7, paragraph 3 other than the life jacket, personal

flotation device or immersion suit required in section 108, subsection 1, paragraph 1 or the requirements referred to in section 7, subsection 4 concerning the relevant nautical charts and nautical publications; (543/2021)

4) compliance with the Rules of the Road at Sea referred to in section 10 in an area where they have to be complied with as such;

5) the prohibition laid down in section 49 to change or remove a navigational aid or to use navigational aids intended for marking a public channel to mark a private channel;

6) the prohibition to install a light or device that causes confusion laid down in section 50; or

7) the prohibition laid down in section 51 or 52 to endanger the functioning of a navigational aid or to fail to report a non-functioning navigational aid shall, unless a more severe punishment is provided elsewhere in the law for the act, be penalised for having committed *a water traffic offence* and a fine shall be imposed.

Anyone who intentionally or through negligence in violation of the provision of section 6, subsection 1 operates, steers or controls or in violation of the provision of section 41 steers a watercraft or exceeds the maximum speed allowed indicated by a water traffic sign or a watercraft-type specific speed limit, if the excess speed is higher than the allowed speed, shall also be penalised for having committed a water traffic offence.

The punishment for causing a traffic hazard, for causing a serious traffic hazard, for waterway traffic intoxication, for relinquishing a vehicle to an intoxicated person and for operation of a vehicle without a license is laid down in chapter 23, sections 1, 2, 5, 8 and 10 of the Criminal Code (39/1889). The punishment for an intentional or grossly negligent breach of section 5 of this Act or for breach of prohibitions or restrictions issued under section 101 and likely to harm the environment is laid down in chapter 48, section 3, subsection 4 of the Criminal Code.

The punishment for neglect to attend to seaworthiness and neglect of good seamanship is laid down in chapter 20, sections 1 and 2 of the Maritime Act. The punishment for a violation of provisions on professional qualifications is laid down in section 264 of the Act on Transport Services.

The punishment for a registration offence is laid down in chapter 16, section 7 of the Criminal Code. The punishment for impersonating a public official is laid down in chapter 16, section 9 of the Criminal Code.

## **Section 121**

### **Waiver of measures and admonition**

The report of, prosecution for or punishment for a water traffic offence may be waived if the act is minor with regard to the circumstances.

If the offence is clearly one provided in subsection 1, the authority monitoring water traffic may issue, without taking other measures, an admonition to the offender.

## **Section 122**

### **Imposition of a water traffic penalty fee**

A traffic penalty fee is imposed for water traffic offences provided in this Act. The penalty fee is imposed by the police, the Border Guard or Customs and it is paid to the State.

If a traffic penalty fee is simultaneously imposed for two or more violations, the traffic penalty fee is increased by EUR 40 for the violation for which the most serious penalty fee has been provided.

If the water traffic violation is minor, an oral or written admonition shall be issued instead of imposing a traffic penalty fee.

A traffic penalty fee shall not be imposed if:

- 1) the person suspected of a water traffic violation is a suspect of the same act in a criminal investigation, prosecution or in criminal proceedings pending before a court;
- 2) a judgment that has become final has been passed or a punishment has been imposed on the person suspected of a water traffic violation for the same act;

3) the person suspected of a water traffic violation is a suspect in an offence committed with the same act;

4) the person suspected of a water traffic violation is under the age of 15 at the time when the act is committed.

Nor shall a sanction be imposed if the water traffic violation has apparently resulted from excusable oversight or carelessness or if the imposition of a sanction would otherwise be manifestly unreasonable.

## **Section 123**

### **General violations by the master of a watercraft**

A traffic penalty fee of EUR 70 is imposed on a master of a watercraft if the master intentionally or through negligence fails to comply with:

1) the requirement provided in section 7, subsection 3 to keep on board the watercraft equipment and gear referred to in section 108 other than those required in subsection 1, paragraph 1 of said section;

2) a signal, order or prohibition referred to in section 11 given by a person monitoring water traffic, a signal given by a person controlling water traffic or an obligation indicated by a light signal or other water traffic sign;

3) the provisions of section 16 or 17 relating to anchoring or making fast;

4) the provisions on presenting documents referred to in section 18, subsection 3 other than those concerning registration;

5) the obligation provided in section 19 to stop a watercraft and interrupt the voyage;

6) the provisions of sections 23–32 on the use of lights, shapes or sound and light signals;

7) the procedures referred to in section 33 relating to navigating in canals and through movable bridges; or with

8) the provisions of sections 34, 36 and 37 on obligations complied with when navigating in canals and through movable bridges relating to the use of a sailboat, notification of information on the watercraft or smoking and use of open flame. (543/2021)

A traffic penalty fee shall be imposed on the master for a violation referred to in subsection 1 committed in the Saimaa Canal or in the surrounding area only if the act has been committed in the area of the Republic of Finland of the Saimaa Canal.

### **Section 124 (543/2021)**

#### **Violation of the speed limit with a watercraft**

A traffic penalty fee of EUR 120 is imposed on anyone who intentionally or through negligence exceeds the maximum speed allowed indicated by a water traffic sign or a watercraft-type specific speed limit if the excess speed is no more than the maximum speed allowed.

### **Section 125 (543/2021)**

#### **Registration violations**

A traffic penalty fee of EUR 70 is imposed on anyone who intentionally or through negligence uses or allows the use of a watercraft in violation of section 112 before its entry in the register or in violation of section 118 so that it is not equipped with a registration number or neglects the obligation referred to in section 117 to keep the registration certificate on board the watercraft when underway.

A traffic penalty fee of EUR 70 is imposed on the owner of a watercraft if the owner, intentionally or through negligence, fails to submit the registration notification relating to the first registration provided in section 114 before putting the watercraft into service or the registration notification relating to the final deregistration referred to in section 116.

A traffic penalty fee of EUR 70 is imposed on an owner or holder of a watercraft if he or she intentionally fails to make the registration of change provided in section 115 within the prescribed period.

## **Section 126**

### **Registration violation of a trader using a watercraft**

A traffic penalty fee of EUR 70 is imposed on the manufacturer of a watercraft or an engine, its importer, repairer or other trader engaged in corresponding activities who intentionally or through negligence uses an unregistered watercraft without a test plate of the Finnish Transport and Communications Agency referred to in section 119.

## **Section 127**

### **Contents of a traffic penalty fee decision**

The decision concerning a traffic penalty fee shall specify:

- 1) the authority that issued the decision and the name and official rank of the person who handled the matter;
- 2) the personal data of a known master of the watercraft or the contact information of the owner, holder or temporary user of the watercraft;
- 3) the necessary identification information on the watercraft;
- 4) the date and place of the mistake or violation, its nature and other information necessary to describe the mistake or violation;
- 5) applicable legislation;
- 6) the amount payable, the time for payment and other information necessary for payment;
- 7) the date and time of imposition of the fee;

8) an account of any other consequences for the water traffic offence that the recipient of the penalty fee may incur.

The decision on a traffic penalty fee shall be appended with instructions for requesting an administrative review.

## **Section 128**

### **Service of a decision on a traffic penalty fee**

A decision on a traffic penalty fee is served to the offender, without delay, personally or in another verifiable manner in compliance with the provisions of the Administrative Procedure Act (434/2003) on verifiable service.

Notwithstanding the provisions of subsection 1, a decision on a traffic penalty payment may be served as standard service in accordance with section 59 of the Administrative Procedure Act in case of a water traffic violation with a watercraft and the identity of the offender has been immediately established. In that case, the decision shall be sent without delay and within two weeks from the date on which the offence was committed.

If the decision has not been served within six months from the date of the offence, the matter lapses.

## **Section 129**

### **Time for payment of a traffic penalty fee**

A traffic penalty fee shall be paid within 30 days of receipt of service of the decision.

## **Section 130**

### **Enforcement of a traffic penalty fee**

Provisions on the enforcement of a traffic penalty fee are laid down in the Act on the Enforcement of a Fine (672/2002).

The statute of limitations for a traffic penalty fee is five years from the issue of a final decision.

The Legal Register Centre attends to the enforcement of a decision on a traffic penalty fee.

The police, the Border Guard, Customs and a court shall notify the Legal Register Centre of its decision on the imposition of a traffic penalty fee. The Legal Register Centre shall also be informed of a decision to remove a traffic penalty fee.

## **Section 131**

### **Further provisions**

Further provisions on the following are issued by Government decree:

- 1) the documents used when imposing a traffic penalty fee and on the entries made therein and on their safekeeping;
- 2) the notifications relating to the enforcement of the sanctions imposed under this Act and on other notifications between the authorities.

## **Chapter 9**

### **Miscellaneous provisions**

## **Section 132**

### **Supervision related to the prevention and combating of adverse effects on the environment**

With regard to the prevention and combating of adverse effects on the environment, compliance with this Act is supervised by the competent Centre for Economic Development, Transport and the Environment in its area of operation.

## **Section 133 (543/2021)**

### **Request for review**

An administrative review may be requested of a decision referred to in this Act. Provisions on a request for an administrative review are laid down in the Administrative Procedure Act. Provisions

on requesting a judicial review by an administrative court are laid down in the Administrative Judicial Procedure Act (808/2019).

A decision may, however, be enforced notwithstanding a request for an administrative review or an appeal.

## **Section 134**

### **Entry into force**

This Act enters into force on 1 June 2020.

This Act repeals:

- 1) the Water Traffic Act (463/1996);
- 2) the Act on Watercraft Register (424/2014).

This Act also repeals:

- 1) the Decree on Stop Signals Given to a Vessel (46/1976);
- 2) the Decree on the Prevention of Collisions in Inland Waterways (Inland Waterways Decree 1978) (252/1978);
- 3) the Decree on the Buoyance of Waterways (846/1979);
- 4) the Decree on Traffic Regulations for Canals and Movable Bridges (512/1991).

If a reference is made in another act or in a provision issued under it or in a regulation issued under an act repealed by this Act to an act or decree repealed by this Act, the reference is deemed to mean the corresponding provision of this Act.

## **Section 135**

### **Transitional provisions**

Prohibitions or restrictions ordered by the Finnish Maritime Administration, the Finnish Transport Agency, a regional environmental centre and a Centre for Economic Development, Transport and the Environment under the repealed Water Traffic Act (436/1996) and by a State Provincial Office and a regional environmental centre under the repealed Vessel Traffic Act (151/1969) shall remain in force for the period referred to in the related decisions unless the decisions are amended or repealed under this Act.

Pending applications relating to regional or watercraft-type specific prohibitions or restrictions submitted before the entry into force of this Act shall be handled under this Act.

International Certificates for Operators of Pleasure Craft in force upon the entry into force of this Act shall be deemed to be International Certificates for Operators of Pleasure Craft complying with this Act.

Water traffic violations committed before the entry into force of this Act are governed by the provisions of section 12 of the Petty Fine Act (986/2016) in force upon the entry into force of this Act and the provisions on criminal liability of the repealed Water Traffic Act and the repealed Act on Watercraft Register. If the application of this Act would lead to a more lenient conclusion, this shall be taken into account when assessing the punishment.

GP 197/2018, Legal Affairs Committee Report 41/2018, Reply of Parliament 260/2018

Annexes: the Water Traffic Act (543/2021)

Figures 2 and 3 of Annex 1 were repealed by Act 543/2021.