

Operation Directions for Non-R.O.C. Flag Ships Apply to Stay in Any  
Harbor or Port Other Than Those Announced as International Ports by the  
R.O.C. Government

Issued in accordance with the Letter No. Chuan-Bo-Zi-Di 10417110610 issued by the Maritime and Port Bureau, Ministry of Transportation and Communications, on November 19, 2015

Amended and promulgated in accordance with the Letter No. Jiao-Shou-Hang-Gang-Zi-Di 1081710350 issued by the Ministry of Transportation and Communications on August 2, 2019

Amended and promulgated in accordance with the Letter No. Jiao-Shou-Hang-Gang-Zi-Di 1111710767 issued by the Ministry of Transportation and Communications on September 23, 2022

- I. The Maritime and Port Bureau of the Ministry of Transportation and Communications (hereinafter referred to the Bureau) established the Operation Directions for implementing regulations on the berthing of non-domestic working vessels in ports other than international commercial ports based on special permission provided in Article 8 of the Law of Ships.
- II. Applicable scope of the Operation Directions:
  - (1) Foreign working vessels that are not registered in as Mainland Chinese vessels or owned by Mainland Chinese companies.
  - (2) Foreign working vessels built in Mainland China.
- III. Non-domestic working vessels shall provide the following documents to apply for special permits for operations:
  - (I) Application letter.
  - (II) Documents provided to the competent authority of the target industry:
    1. Marine engineering permit documents.

2. Ships specified in Subparagraph 2 of the aforementioned Article shall also provide documents based on the "results of joint national security assessments" (documents proving that there exist no national security concerns or documents from onboard inspections conducted after the vessel arrives in port).
3. The Ministry of Economic Affairs shall submit approval documents for vessel use or approval documents for extensions for vessels used in the construction of offshore wind power generation facilities.

(III) Shipping agency agreement.

(IV) Emergency response plans (approval letter of the competent authority of the fishing port must be obtained for plans that involve berthing in the fishing port).

(V) Marine engineering contracts, research plans, or other documents with equal validity. Applicants using documents with equal validity shall provide factual description and accept review. The documents with equal validity shall also be signed by the parties to the marine engineering project.

(VI) Marine engineering plan (including the construction site, work period, and progress schedule).

(VII) Non-self-owned ships shall provide the ship lease contract.

(VIII) Where the Law of Ships of its flag state is not applicable to the vessel, the ship shall provide a certificate of seaworthiness issued by the vessel inspection institution in its flag state. If a ship does not have the

following documents, it shall provide factual explanation and accept reviews.

1. Certificate of the ship's nationality.
2. International tonnage certificate of the ship (ITC).
3. Load line certificate (ILLC).
4. Cargo Ship Safety Construction Certificate (SC).
5. Cargo Ship Safety Equipment Certificate (SE).
6. Cargo Ship Safety Radio Certificate (SR).
7. International Oil Pollution Prevention Certificate (IOPP).
8. International Sewage Pollution Prevention Certificate (ISPP).
9. International Air Pollution Prevention Certificate (IAPP).
10. International Anti-Fouling System Certificate (AFS).
11. Safety Management Certificate (SMC).
12. Document of Compliance (DOC).
13. International Ship Security Certificate (ISSC).
14. Continuous Synopsis Record (CSR) of the ship.
15. Protection and Indemnity (P&I) insurance of the ship owner.
16. Roster of vessel crew and color photographs of the vessel.
17. Vessels used for offshore wind power generation projects shall prepare related certificates in accordance with Article 7.

(IX) Applicant's affidavit for the following items regarding the vessel in this application (see Attachment 1 for the format of the affidavit):

1. No Mainland Chinese capital or Mainland Chinese vessel crew members or workers.
2. Related procedures shall be implemented during the special permit period and vessel crew shall depart from the country in accordance with the restrictions.

#### IV. Operating procedures for review

(I) Vessels built in Mainland China and verified as posing no national security concerns based on the "results of joint national security assessments":

1. The applicant shall provide the documents specified in the preceding Article.
2. The Bureau shall issue an approval letter after the application qualifies in the review.

(II) Vessels built in Mainland China for which inspections are required upon arrival in port based on the "results of joint national security assessments":

1. The competent authority of the target industry shall inspect the documents specified in the preceding Article after performing national security assessments in accordance with the Flowchart for Security Coordination and Review Mechanisms of Inter-Agency Cross Strait Exchange announced by the Executive Yuan.
2. The Bureau issues an approval letter for transit to international commercial ports or Mini Three Links ports after the application qualifies in the review.

3. After working vessels arrive in ports, they shall be inspected in accordance with the national security management and control plans approved by the joint national security assessments, and records shall be formulated. The competent authority of the target industry shall deliver inspection records to the Bureau and only vessels that qualify in inspections may commence operations. For vessels that fail upon inspections, the Bureau shall issue a notice and request the vessel to leave the territorial waters of Taiwan within a specified time.

- V. Vessels announced by the Bureau of Foreign Trade, Ministry of Economic Affairs as Mainland Chinese products that cannot be imported (MW0) may only commence operations after they submit the special import permit issued by the Bureau of Foreign Trade and the approval letter from the Bureau to the Customs Administration, Ministry of Finance to import the vessel.
- VI. In the event of changes in the operation items within the approved work period, the applicant shall actively file a written statement to the Bureau and follow the Bureau's instructions for processing the changes.
- VII. The scope of work for non-domestic working vessels shall be the construction, maintenance, and decommissioning of offshore wind power generation facilities which shall be processed in accordance with the following regulations:
- (I) They shall be required to obtain the vessel certificates issued by vessel inspection institutions commissioned by the competent authority.

- (II) Applicants shall submit documents for the application in accordance with Article 3. The permit period shall be established based on the duration specified in the vessel usage approval documents or extension documents provided by the Ministry of Economic Affairs.
- (III) Related documents submitted for the application may not be invalidated within the permit period. Where a document expires, the vessel shall suspend operations, return to the international commercial port, and may only restart operations after providing the supplementary documents.
- (IV) Offshore wind power generation developers may not use vessels that have not received permission for operations in offshore wind farms.
- (V) Regulations for the expiry of the permit period (operating procedures are provided in Attachment 2):
  1. Where an extension is not approved upon expiry, the vessel shall suspend operations, return to the international commercial port, complete clearance procedures, and leave the country.
  2. Vessels for which the work permit is obtained before the expiry or those for which extensions have been applied for twenty days prior to the expiry shall not be restricted by the aforementioned Item.
  3. Where the permit expires and a new application is filed, the vessel shall suspend operations, return to the international commercial port, and may only restart operations after obtaining approval from the Bureau.

(VI) A roster of seafarers shall be attached, in which the ratio of crew members who are citizens of Taiwan shall be at least one third of the personnel specified on the minimum safety manning certificate of the vessel. Offshore wind power developers and contractors may submit the Domestic Seafarer Training Plan (see attachment 3 for the flow chart and outline) to the Bureau. And those who pass the review (see attachment 4 for the review rules) will not be restricted by the proportion rule during their permitted working period in Taiwan.

(VII) Regulations on insurance of the owner or operator:

1. The purchase of operator liability insurance, which may be replaced with the membership certificate of a protection and indemnity insurance club. The membership certificate shall be restricted to those issued by members of the International Group of P&I Clubs.
2. The operator shall purchase accident insurance for passengers other than vessel crew. Operators for passenger transportation shall meet requirements in the Regulations of Liability Insurance and Passenger Accident Insurance Insured by Carriers. The insurance items and the minimum insured amounts are as follows:
  - (1) Payment of medical expenses for injury: NT\$300,000 per person.
  - (2) Permanent disability payment: NT\$2,500,000 per person.
  - (3) Death payment: NT\$2,500,000 per person.
3. The owner or operator shall renew insurance policies when the insurance period in the two preceding Paragraphs expires.

- (VIII) Vessels shall navigate in channels or waters designated by the Bureau, and they shall implement continuous use of the maritime communication channel and vessel automatic identification system (AIS).
- (IX) Emergency response plans for maritime disasters shall include reporting procedures and capacity for rescue.
- (X) Requirements for vessels to report their entry into and exit from offshore wind farms:
1. The owner, operator, or agent of the vessel shall fill out the notice form for the vessel's entry into or exit from the offshore wind farm twenty-four hours before arrival and twelve hours before departure. The form shall include the estimated arrival or departure time, destination ports, roster of vessel crew and crew members, and other related information; it shall be delivered to the Bureau for reference. However, the vessel may apply for entry into or exit from the offshore wind farm at any time in the event of an emergency.
  2. Where a vessel is required to enter and exit the offshore wind farm multiple times in one day, the operator may submit related documents to the Bureau to request approval. Such vessels shall not be bound by the restrictions in the preceding Item. However, the owner, operator, or agent of the vessel shall fill out the notice form for the vessel's entry into or exit from the offshore wind farm twenty-four hours before the vessel's first arrival therein. The form shall include the estimated number of trips for the current day, the



estimated arrival or departure time for each trip for the current day, destination ports of each trip, roster of vessel crew and crew members of each trip, and other related information; it shall be delivered to the Bureau for reference.

3. The owner, operator, or agent of the vessel shall make accurate corrections in the event of changes in the preceding notice. However, such requirements shall not apply if the gap between the offshore wind farm entry and exit time is less than one hour from the estimated time.
4. However, where the owner, operator, or agent of the vessel connects to the Bureau through computer equipment, the notice form for the vessel's entry into or exit from the offshore wind farm and related information may be transmitted electronically.
5. Electronic information shall be deemed as delivered once it is recorded in the Bureau's computer. Within five years starting from the day following the registration of electronic data in the computer, the owner, operator, or agent of the vessel may review the electronic data it transmitted and may apply for documents certifying the transmission time and contents of electronic data.

VIII. Where the non-domestic working vessels perform tasks related to the construction, maintenance, or change of subsea wires, cables, or pipelines (water, gas, and oil), they shall apply for permission from the Ministry of the Interior in accordance with the Regulations of Permission on Delineation of Course for Laying, Maintaining, or

Modifying Submarine Cables or Pipelines on the Continental Shelf of the Republic of China. They shall then apply for vessel permits with the Bureau in accordance with the Operation Directions.

- IX. Where the four offshore wind power generation facilities for which grid connection is to be completed by 2020 apply for the use of non-R.O.C. vessels in the construction stage, except for personnel or cargo transportation vessels which must be R.O.C. vessels based on requirements in the Shipping Act and vessels used for ecological environment survey, marine protection animal alert observation, establishment of construction alert patrols, measurement and topography, repairs, maintenance, and supply for which the use of R.O.C. ships must be prioritized, regulations on other working vessels, excluding the classification certificate issued by vessel inspection institutions commissioned by the Ministry of Transportation and Communications in accordance with Article 7, and the hiring of R.O.C. crew members, shall be applicable till December 31, 2020, unless otherwise specified by the Ministry of Economic Affairs.

Affidavit

The company uses one vessel named \_\_\_\_\_ (vessel name) which was registered in \_\_\_\_\_ for the operating period from \_\_\_\_ (month) \_\_\_\_ (date), \_\_\_\_ (year) to \_\_\_\_ (month) \_\_\_\_ (date), \_\_\_\_ (year). The company warrants that:

- I. The company and the vessel have no direct or indirect investments from Mainland China.
- II. The vessel does not hire Mainland Chinese vessel crew members or workers.
- III. The vessel shall absolutely carry out procedures during the operations period and depart from the country in accordance with the regulations and restrictions.
- IV. During the operations period, the vessel shall actively provide notification in the event of changes in the original application items and follow instructions of the Bureau based on the approval of the Bureau.
- V. In the event of a violation of the above, the Company shall bear all legal responsibilities once such facts are verified.

Submitted to

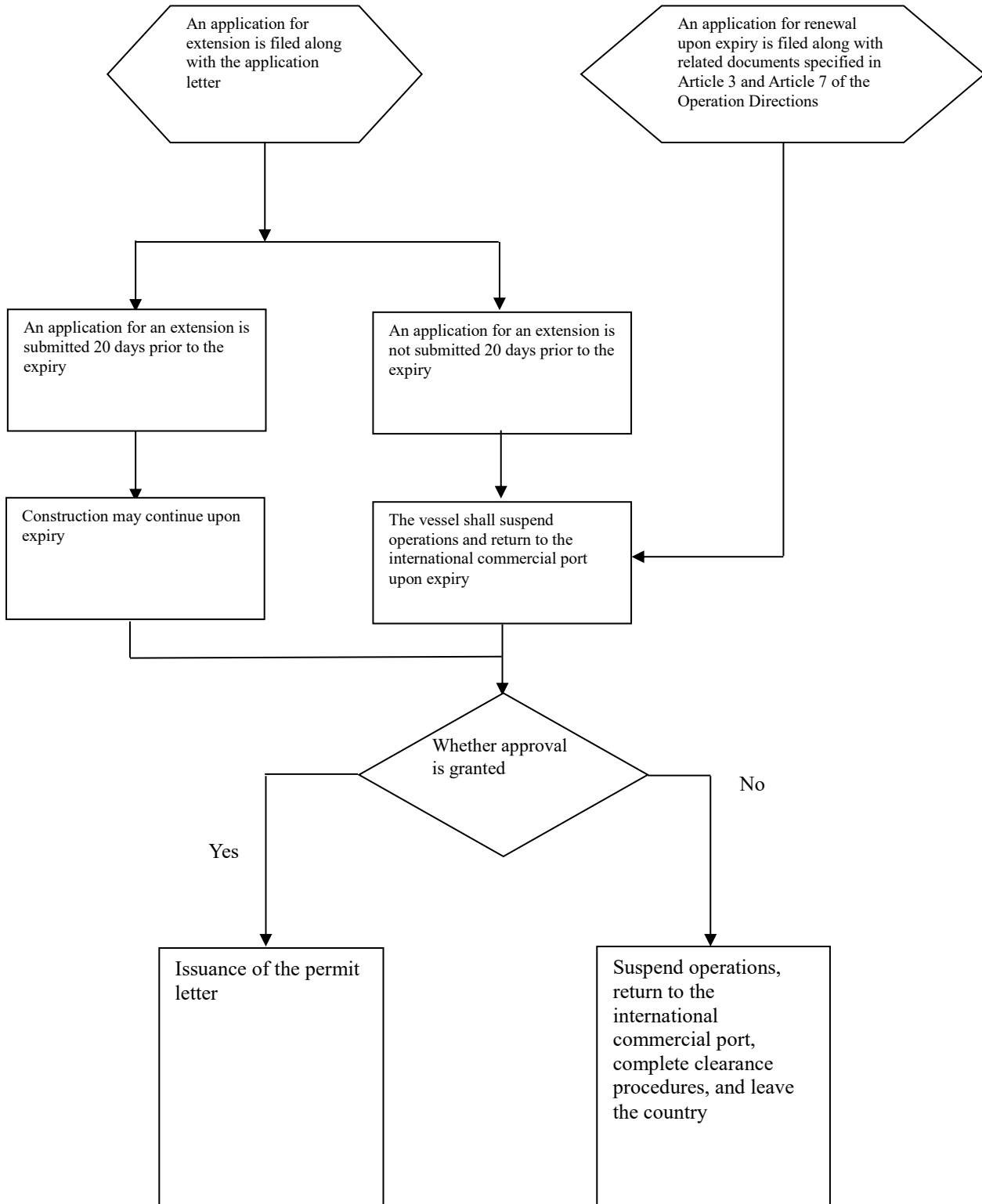
the Maritime Port Bureau, Ministry of Transportation and Communications (MOTC)

Company Name:

Name of person in charge:

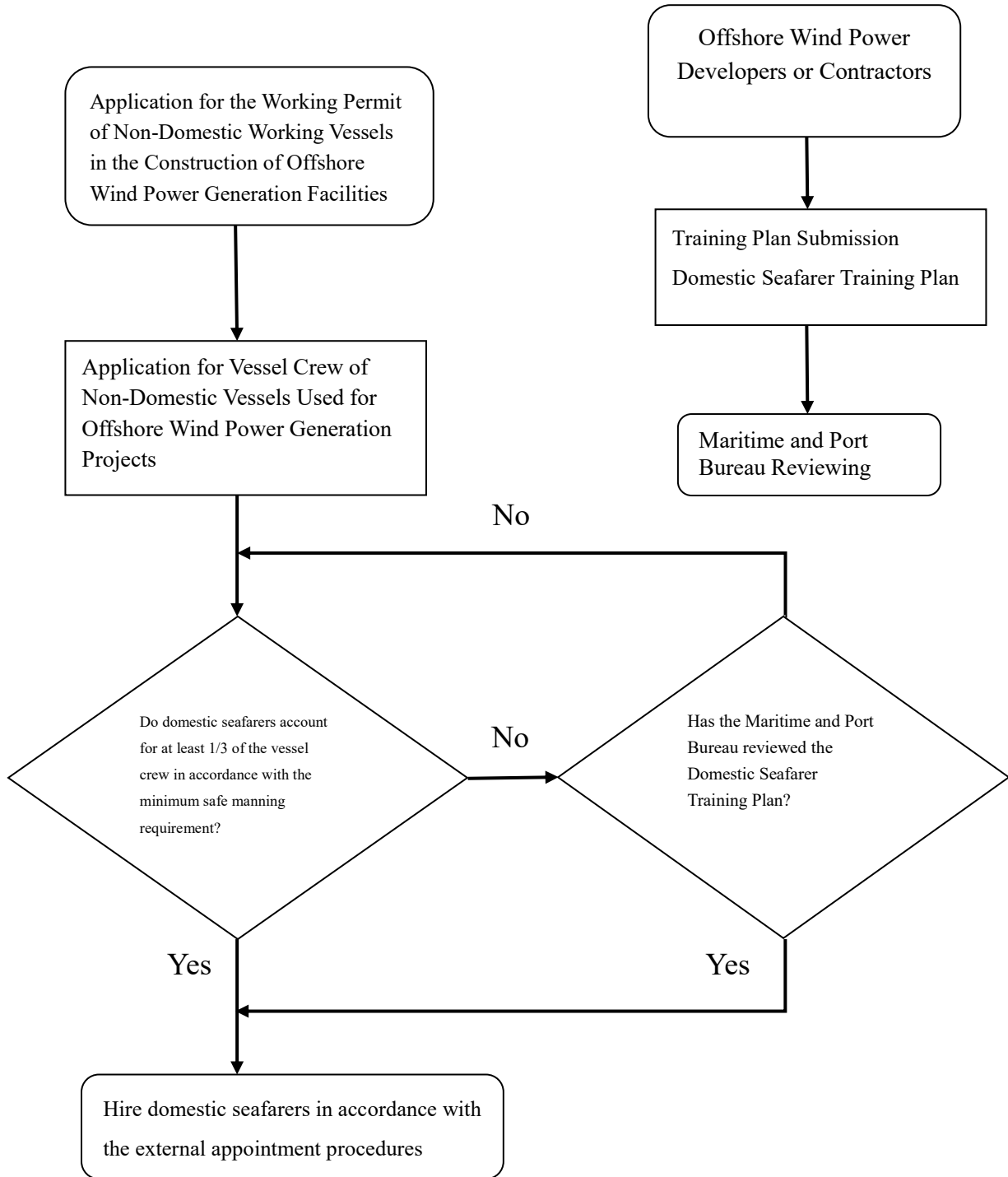
\_\_\_\_\_ (yyyy) \_\_\_\_ (mm) \_\_\_\_ (dd)

## Extension or Expiry Procedures for Non-Domestic Working Vessels in the Construction of Offshore Wind Power Generation Facilities



# Application Procedures for the Training of Domestic Seafarers or Wind Power Key Technology Personnel of Non-Domestic Offshore Wind

## Power Vessels (Page 1)



**Application Procedures for the Training of Domestic Seafarers or Wind  
Power Key Technology Personnel of Non-Domestic Offshore Wind  
Power Vessels (Page 2)**

Domestic Seafarers or Wind Power Key Technology Personnel Training  
Plan

Outline of the Plan

1. Objective: In light of the distinctiveness of offshore wind power vessels or equipment and the fact that current domestic seafarers lack operating experiences or related certificates, the Company (Offshore Wind Power Developer or Contractor) has formulated the Key Technology Personnel Training Courses for domestic seafarers or key technology personnel so they may devote themselves into achieving the goal of offshore wind power technology domestication on offshore wind power working vessels.
2. Application Targets:
  - (1) Non-domestic offshore wind power working vessels that apply to anchor at non-international commercial ports and do not have domestic seafarers accounting for 1/3 of their crews.
  - (2) Non-domestic offshore wind power working vessels that apply to anchor at non-international commercial ports and had domestic seafarers accounting for 1/3 of its crew, yet the number of domestic seafarers became less than 1/3 of the crew due to the resignation of some seafarers and replacements were not found within 1 week.
3. During the permitted working period granted by the Bureau of Energy of the Ministry of Economic Affairs, the working vessels (including work schedule) and the number of seafarers a fleet needs include
  - (1) Vessel types, seafarer allocation, and related information (including Certificate of Vessel's Nationality and the Minimum Safe Manning

Certificate).

- (2) Estimated work schedule of vessels (calculated based on months; times less than 1 month are calculated as 1 month).
  - (3) The 1/3 minimum safe manning of vessel seafarers.
4. The training contents of the domestic offshore wind power seafarer or key technology personnel training
- (1) shall give a detailed description of the special systems or equipment on offshore wind power vessels. And whether the operations of the systems or equipment require special training, technology, certification, or operation experience, such as familiarity with safety and emergency response training, familiarity with vessel deployment and equipment, operation of dynamic positioning systems, methods and procedures for operations of professional equipment or machinery, maintenance of professional equipment or machinery, etc.
  - (2) In accordance with the working period of vessels submitted by offshore wind power developers for the approval of the Bureau of Energy of the Ministry of Economic Affairs, the training funds provided to training centers for the training of domestic seafarers are based on the 1/3 minimum safe manning of vessel seafarers times the number of working months in Taiwan. (The basic training funds rate is NT\$60,000, and the Bureau shall notify all relevant parties if there are any adjustments).

For example:

Offshore wind power developer or contractor A: 10 foreign vessels in its fleet. During the development period, 3 vessels must work in Taiwan for 10 months, and 7 must work in Taiwan for 8 months (times less than a month shall be calculated as a month).

The 1/3 of each vessel is 4 persons.

$(3 \text{ vessels} * 4 \text{ persons} * 10 \text{ months} + 7 \text{ vessels} * 4 \text{ persons} * 8 \text{ months}) * \text{basic funds rate}$

- (3) If domestic seafarers are hired but are less than 1/3 of the crew, the training plan under submission may deduct the training funds based on the ratio of hired domestic seafarers.
- (4) If new vessels are added after the submission of training plans, offshore



wind power developers or contractors shall add domestic seafarer training funds based on the aforementioned calculation method and resubmit the applications.

- (5) Offshore wind power developers or contractors may arrange trainers on their own. If Companies do not have trainers, they may file for a training request. The training institutions shall open training courses, and the course information will be announced on the National Chinese Seamen's Union website to select suitable personnel to participate (see attachment 4 and attached table 5 for references of selection announcements).
- (6) Offshore wind power seafarers or key personnel training
  1. Positions and qualifications of seafarer or key personnel trainers.
  2. Trainees:
    - (1) List of trainees submitted by the applicant (including the positions under training and training items).
    - (2) The contracted training institutions open courses and select suitable personnel to train.
  3. Provision of training information
    - (1) Registration documents or teaching contract of training institutions.
    - (2) The training period, hours (attach the training course schedule if any), locations, and the name of the certificate acquired after the training.
    - (3) Key technology personnel certificate categories:
      - A. Category 1: Global Wind Organisation (GWO) International Basic Certifications (BST and BTT), Advanced Certifications (BTT4, GWOEFA, GWOART, BR, and SLS), and OWPESP. International Offshore Wind Power Certification (e.g., DNVGLMOLV1/2).
      - B. Category 2: Key technology personnel: DP (Dynamic

Positioning) Training, DPM (Dynamic Positioning Maintenance), ETO(Electro-Technical Officer) Training, high voltage electrical safety training, JackupsystemOperator, CraneOperator, and Diver.

(4) Trainer Post Plannings.

5. Comparison table of seafarers or key technology personnel training fees.

## Review Items for Non-Domestic Offshore Wind Power Vessel

### Training Plan

1. Offshore wind power developers or contractors who fail to meet the requirement of having domestic seafarers accounting for at least 1/3 of their crews in accordance with the minimum safe manning requirement shall submit a training plan as a replacement for the application of foreign vessels working in wind farms. The offshore wind power developers or contractors (hereinafter referred to as the Applicants) shall submit the training plan review form (as shown in attached table 1) and related documents (as shown in attached table 2 and 3) to the Maritime and Port Bureau of the MOTC (hereinafter referred to as the Bureau). The Bureau shall review the documents and convene review meetings if necessary.
2. The Maritime Affairs Center of the Bureau shall review the paper documents submitted by the applicants. For any questions, the Maritime Affairs Center will ask relevant institutions such as the National Chinese Seamen's Union, the National Association of Chinese Shipowners, and offshore wind power training centers to provide written advice or convene review meetings (see attached table 4 for the review form). The Maritime Affairs Center shall grant the requests of the applicants once the reviews are passed.
3. The review meeting consists of the convener, the deputy convener, and 3 to 5 review committee members. The Maritime Affairs Center of the Bureau shall appoint the convener as the chairman of the review meeting, and the deputy convener shall be appointed by the convener. When the convener is unable to attend the meeting, the deputy convener shall serve as the acting agent of the convener. When both the convener and the deputy convener are unavailable, the convener shall appoint a responsible person as the acting agent. The review committee consists of the National Chinese Seamen's Union, the National Association of Chinese Shipowners, seafarers, and offshore wind power training centers. The review committee may invite the applicants to attend the meetings for descriptions and explanations.
4. The review process is as follows:
  - (1) The Maritime Affairs Center of the Maritime and Port Bureau conducts a preliminary review based on the submitted paperwork. And the Center shall notify the applicant to submit supplementary information within 5 days after receiving the application if necessary.
  - (2) If there are any questions, the Center may ask the review committee members to provide written comments or convene review meetings for discussion. The comments will be recorded after organization or within 3 days after the

meetings. The Center shall reply to the applicant after the comments are signed and approved in accordance with the administrative procedures.

5. Before the reviewed contents are approved, the review committee members and all participating personnel shall keep the contents confidential.

## **Non-Domestic Offshore Wind Power Vessel Training Plan Review**

### **Form, Maritime and Port Bureau of the MOTC**

1. Required documents

- (1)  Non-Domestic Offshore Wind Power Vessel Training Plan Chart.

(Attached Table 2)

- (2)  Approval Letter from the Bureau of Energy, Ministry of Economic Affairs. (may be substituted with the Bureau of Energy consultation meeting letter and replace the meeting letter by the time the Approval Letter is collected or received).

- (3)  Vessel's basic information (Certificate of Vessel's Nationality and the Minimum Safe Manning Certificate).

- (4)  The List of Seafarers Under Training (including their job titles and the allocation of the seafarers after training)

- (5)  Seafarer Training Plan (including training positions, required training courses, and the required fees and training period of each course).

- (6)  Domestic Seafarer Training Plan Fee Comparison Table. (Attached Table 3)

- (7)  Seafarers' training registration or training contracts with training institutions.

(8) The vessel employment certificate certifying that the vessel has hired domestic seafarers as 1/3 of its crew.

2. Check the box  for documents that have been attached(✓); mark X if no attached documents are required(✕).

3. Attach the required documents (4) if the applicant has submitted trainers; the required documents should not be attached if personnel selection is required. Refer to attached table 5 to post the selection announcement on the National Chinese Seamen's Union website.

4. If new vessels are added afterward via the Approval Letter from the Bureau of Energy of the Ministry of Economic Affairs, a Non-Domestic Offshore Wind Power Vessel Training Plan should be submitted separately.

### Non-Domestic Offshore Wind Power Vessel Training Plan Chart

Applicant (Company Name)					
Developer/Contractor					
Handler		Telephone			
Approval date/case no. of the Bureau of Energy, Ministry of Economic Affairs	Approved Working Vessel Name	Vessel's Working Period in Taiwan	Safe Manning	Training Fund Amount	1/3 of Crew Are Domestic Seafarers
<ol style="list-style-type: none"> <li>1. Fill in all vessels mentioned in the Approval Letter from the Ministry of Economic Affairs for training plans submitted by offshore wind power developers.</li> <li>2. For foreign working vessels that comply with the rule of hiring domestic seafarers as 1/3 of the crews, submit employment certificates and check the “1/3 of Crew Are Domestic Seafarers” box.</li> </ol>					





Attached Table 4

Offshore Wind Power Vessel Training Plan Review Form,  
Maritime and Port Bureau of the MOTC

Applicant			
Review Committee Member		Review Date	
Review Committee Member's Department			
Review Comments			
<p>Tips:</p> <ol style="list-style-type: none"> <li>1. For vessels with special systems or equipment, special training, technology, or certification is required to make operation compatible with wind power key technology.</li> <li>2. Qualifications of seafarers under training and contents of training courses.</li> <li>3. Training period, contents, and the required funds.</li> <li>4. The seafarers shall be allocated after the completion of their training.</li> <li>5. Other matters.</li> </ol>			

## Example of Domestic Seafarer Training Plan Personnel Selection

1. Name of Applicant Company: ○○ Shipping Agency Co., Ltd. (Netherlands)  
○○○ Offshore Wind Power Co. Ltd.
2. Bureau of Energy No.: Bureau of Energy Technology No.○○○○○○○○○.
3. Name of the Developer: ○○○ Offshore Wind Power Development Co. Ltd.
4. Position under training: Dynamic Positioning System Operator (DPO)
5. Training Items: as shown in attachments.
6. Training location: ○○○○ Maritime Training Center in Singapore
7. Training period: from YYYY/MM/DD to YYYY/MM/DD.
8. Required basic skills: ○○ Certificate of Competency, scored ○○% in Marlins Test
9. Date of Selection: YYYY/MM/DD
10. Location of Selection: ○○○○○○○○
11. Required Documents: ○○ Certificate
12. Contact Person: ○○○○○○○○
13. Contact number: ○○-○○○-○○○○○
14. Registration Deadline: Email/mail all required information to ○○○○○○ before YYYY/MM/DD.
15. Selection Announcement Date: YYYY/MM/DD

### Selection Process:

1. The applicant shall conduct the selection process, and the National Chinese Seamen's Union and the Maritime and Port Bureau (Maritime Affairs Center) may provide suggestions. The applicant shall select the candidates in person or online.
2. The applicant shall inform the candidates of the rights and obligations of both parties. And the applicant shall notify the candidates of the results on the announcement day.
3. After the selection, the applicant shall provide the selection process to the Maritime and Port Bureau (Maritime Affairs Center).