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## BMI Circular 2021/001

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### Exemption from nationality requirement - command Belgian ship

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Date: 01/02/2021

To whom it may concern,

Article 2.2.1.8 of the Belgian Shipping Code states that the command of a registered seagoing vessel may only be given to a person having the nationality of a Member State of the European Economic Area (EEA). The European Economic Area consists of the Member States of the European Union (EU) and three countries of the European Free Trade Association, namely Iceland, Liechtenstein and Norway.

In application of article 45 of the Belgian Royal Decree of 26 June 2020 on Ship Registration the Director-General may deviate from the provision of Article 2.2.1.8 of the Belgian Shipping Code if a master or skipper with the nationality of a member state of the EEA wishes to accept an employment offer on board a Belgian ship or if no suitable captain or skipper with the nationality of a Member State of the EEA is available for that sea-going vessel and if the needs of trade or navigation justify it.

An exemption from the nationality requirement for the command of a Belgian ship can be given to masters or skippers who do not have the nationality of a Member State of the EEA. This is also the case for masters or skippers of the United Kingdom as the United Kingdom has ceased to be part of the EEA after its withdrawal from the EU (Brexit).

A request by the shipowner should be made in time to: [dgmar.reg@mobiliteit.fgov.be](mailto:dgmar.reg@mobiliteit.fgov.be).

This exemption in no way affects the applying limitations (if any) mentioned on the Belgian endorsement attesting the recognition of a certificate under the provisions of the international convention on standards of training, certification and watchkeeping for seafarers 1978, as amended (STCW endorsement) which is a necessary requirement for each master or under the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, as amended (STCW-F) for each skipper.

Each master or skipper having the command of a Belgian ship must comply with all relevant requirements under Belgian law and BMI Circulars related to the duties as master or skipper of a Belgian ship.