

**DELEGATED DECREE No. 144 of 2 August 2021**

**We Captains Regent  
of the Serenissima Republic of San Marino**

*Having regard to Article 78 of Law No. 120 of 2 August 2019;*

*Having regard to the resolution of the Congress of State No. 11 adopted during its meeting on 26 July 2021;*

*Having regard to Article 5, paragraph 3, of the Constitutional Law No. 185/2005 and to Articles 8 and 10, paragraph 2, of the Qualified Law No. 186/2005;*

*We hereby promulgate and order to publish the following delegated decree:*

**CERTIFICATES AND LICENCES FOR USE OF RADIOELECTRIC DEVICES FOR COMMUNICATIONS WITHIN MARITIME SERVICES AND AMENDMENTS TO LAW No. 120 OF 2 AUGUST 2019 AND SUBSEQUENT AMENDMENTS - MARITIME NAVIGATION REFORM**

**CHAPTER I**

**CERTIFICATES E LICENCES FOR THE USE OF RADIOELECTRIC DEVICES FOR COMMUNICATIONS IN MARITIME SERVICES**

**Art.1**

*(Powers and responsibilities)*

1. In accordance with article 3 of Law No. 120 of 2 August 2019 (Powers and functions of the Authority), the Maritime Navigation Authority (for the sake of brevity Authority) is the competent body authorized to issue maritime navigation certificates. A homologated VHF-MF/ HF radio device must be present onboard vessels, as a safety equipment, and it must be registered by way of application for special operating Licence. The onboard radio must be used exclusively by certified ship radio operators qualified to use the radio and ensuring the appropriate level of competence.

**Art. 2**

*(Limited ship radio operator certificate)*

1. The limited ship radio operator Certificate is the licence to use the radiotelephone system onboard ships or vessels with a gross tonnage up to 150 tons and featuring power stations not exceeding 60 watts. The certificate is related to the natural person applying for it, it is not subject to renewal and it does not expire.

2. The application for issuance must be submitted, by San Marino citizens or residents, to the Civil Aviation and Maritime Navigation Authority by filling in the appropriate form, available in paper or electronic format on the website of the Authority, including the personal data of the applicant, a declaration that the applicant has the practical and general knowledge and skills required by the International Radio-communications Regulations and that he/she is aware that the certificate requested enables voice communications between vessels and the mainland, and also the equivalent declaration in lieu of certificate pursuant to and in accordance with Law No. 159 of 5 October 2011.
3. The applicant must also provide two identical photographs in passport format, a copy of the payment of EUR 30 and a copy of a valid identity document.
4. The Certificate shall bear the signature of the Director General of the Civil Aviation and Maritime Navigation Authority.

### **Art. 3**

#### *(The operating licence)*

1. The operating licence certifies the conformity of the equipment and its legitimate use onboard the vessel.
2. The application for issuance must be submitted to the Civil Aviation and Maritime Navigation Authority by filling in the appropriate form, available on paper or electronic format on the Authority's website, including the personal data of the applicant, the vessel's data, its international name, any MMSI code and the technical data of the radio of the radioelectric device and the declaration of awareness of the fact that the device must be used only for safety purposes, using channel 16 (in case of VHF) or the 2182 KHz frequency (in case of RTF), with the strict exclusion of public correspondence traffic and provided that onboard the vessel the station is used exclusively by persons holding the limited ship radio operator Certificate.
3. The licence must be kept onboard the vessel and shall remain valid until the removal from the San Marino Maritime Register, subject to periodic renewals, or in case of replacement, or change of licence holder and/or variations or additions of radio equipment onboard.
4. The licence shall bear the signature of the Director General of the Civil Aviation and Maritime Navigation Authority or of the Director of the Telecommunications Department of the Republic of San Marino.
5. The shipowner, or whoever is appointed by the same by written proxy, shall submit the licence application, by filling in the relevant application form, for the purpose of registering the unit in the register.

### **Art. 4**

#### *(Maritime Mobile Service Identity - MMSI Codes)*

1. The Authority is also authorised to issue MMSI (Maritime Mobile Service Identity) codes, as well as the international station identifiers for "ship stations" (T7AA-T7ZZ and T7AA2- T7ZZ9).
2. With regards to publications in the list of naval stations and assignments of maritime mobile services identities and in the MARS (Maritime mobile Access and Retrieval System) system, the Maritime Navigation Authority is required to operate autonomously. Therefore, it shall notify all the data required for the notification of naval stations to the International Telecommunication Union (ITU).

**CHAPTER II**  
**CHANGES TO LAW NO. 120 OF 2 AUGUST 2019 AND SUBSEQUENT AMENDMENTS - MARITIME**  
**NAVIGATION REFORM**

**Art. 5**

*(Amendment to Article 1, paragraph 1, numbers 2) and 3) of Law No. 120 of 2 August 2019 and subsequent amendments)*

1. The definitions referred to in Article 1, paragraph 1, numbers 2) and 3) of the Law No. 120 of 2 August 2019 and subsequent amendments, are amended as follows:  
"2) "Recreational craft": unit having a hull with a length of over 10 metres and lower than 24 metres, where length refers to the so-called "load line length". Said units are subject to the safety regulations provided for by the "Small Yacht Safety Code";  
3) "Recreational Vessel": unit having a hull with a length of at least 24 metres, where length means the so-called "load line length". Said units are subject to the safety regulations provided for by the "Large Yacht Safety Code";".

**Art.6**

*(Amendment to paragraph 1, letter a), numbers 1) and 2) of Article 25 of Law No. 120/2019 and subsequent amendments)*

1. Paragraph 1, letter a), numbers 1) and 2) of Article 25 of Law No. 120/2019 and subsequent amendments is amended as follows:  
"a) uncertified copy of the property deed represented by:  
1) Public deed;  
2) Certified private deed.".

*Issued from Our Residence, this 2nd of August 2021/1720 d.F.R.*

THE CAPTAINS REGENT  
*Gian Carlo Venturini - Marco Nicolini*

THE SECRETARY OF STATE  
FOR HOME AFFAIRS  
*Elena Tonnini*