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Item 220

ORDINANCE OF THE MINISTER OF MARITIME ECONOMY AND INLAND NAVIGATION¹⁾

of February 4th, 2016

on recognition of the diploma examination at recognised universities as equivalent to a qualification examination at the operational level

Pursuant to Article 64(5) of the Act of August 18th, 2011 on maritime safety (Dz. U. of 2015, item 611, as amended²⁾), it is hereby ordained as follows:

§ 1. The provisions of the Ordinance lay down detailed conditions and procedure for recognition of a diploma examination at universities referred to in Article 74(2)(1) and (2) of the Act of August 18th, 2011 on maritime safety, hereinafter referred to as the “Act”, as equivalent to a qualification examination at the operational level and the manner of registration of results of such examinations.

§ 2. Whenever the Ordinance refers to:

- 1) an electronic inbox – it shall mean an electronic inbox within the meaning of the Article 3(17) of the Act of February 17th, 2005 on informatisation of the activities of entities performing public tasks (Dz. U. of 2014, item 1114);
- 2) Board's Secretariat – it shall mean the Secretariat of the Central Maritime Examination Board, referred to in Article 77(1) of the Act, in the office serving the minister competent for maritime economy;
- 3) ICT system – it shall mean an ICT system within the meaning of the Article 3(3) of the Act of February 17th, 2005 on informatisation of the activities of entities performing public tasks.

§ 3. The conditions for recognition of a diploma examination at universities referred to in Article 74(2)(1) and (2) of the Act, at faculties and specialisations indicated in the recognition certificate, referred to in Article 75(8) of the Act, hereinafter referred to as the “diploma examination”, as equivalent to a qualification examination at the operational level, shall include:

- 1) the university providing for the possibility, pursuant to the provisions of § 4, for a representative of the Central Marine Examination Board, referred to in Article 77(1) of the Act, hereinafter referred to as the “Board”, to participate in the examination board of the diploma examination;
- 2) ensuring that the diploma examination shall consist of at least one question of general nature in each of the functions indicated in examination requirements at the operational level relevant for the faculty and specialisation of studies, laid down in provisions issued pursuant to Article 74(4) of the Act;
- 3) a Dean of the relevant department of the university providing the Chairman of the Board with a copy of the record of the diploma examination, no later than 14 days from the date the examination, containing:

¹⁾ The Minister of Maritime Economy and Inland Navigation is in charge of the government administration section – maritime economy, pursuant to § 1(2)(1) of the Ordinance of the Prime Minister of November 17th, 2015 on the detailed scope of tasks of the Minister of Maritime Economy and Inland Navigation (Dz. U., items 1909 and 2091).

²⁾ The amendments to the consolidated text of the said Act were published in Dz. U. of 2015, items 1320, 1336, 1569 and item 1642.

- a) date and place of the diploma examination and indication of the university, where the examination was held,
- b) information on the department of the university, type, faculty and specialisation of studies,
- c) the name of the qualification examination, to which the diploma examination is equivalent,
- d) the composition of the examination board, with full names of examiners carrying out the diploma examination,
- e) full name of the person taking the diploma examination, his/her date and place of birth and PESEL number, if applicable, together with the result of such examination,
- f) the content of examination questions, of which the diploma examination consisted,
- g) notes of the Board's representative, specifying whether the conditions for recognition of the diploma examination as equivalent to a qualification examination at the operational level have been met,
- h) notes of the Board's representative on irregularities in the course of the diploma examination, in particular in the scope referred to on item 2, if any,
- i) the signature of the Chairman of the examination board,
- j) the date of drawing up the record.

§ 4. 1. By October 31st each year, the Dean of the relevant department of the university shall submit the list of academic staff, who are examiners from the list kept by the minister competent for maritime economy, proposed for the function of the representative of the Board at diploma examinations, to the electronic mail address of the Board's Secretariat or to the electronic inbox of the minister competent for maritime economy.

2. The Chairman of the Board, taking into account the list of academic staff referred to in paragraph 1, shall draft a list of representatives of the Board at diploma examinations at a relevant department of a given university, and shall send it to the electronic mail address of the Dean's Office of the relevant department of the university by November 15th each year.

3. The list of academic staff, referred to in paragraph 1, and the list of representatives of the Board, referred to in paragraph 2, shall contain full names of examiners and the scope of their examination licenses.

4. At least 14 days before the diploma examination, the Dean of the relevant department of the university, shall submit information on the date and place of the diploma examination, the starting time, information referred to in § 3(3)(b), as well as the list with full names of persons taking the diploma examination and the proposed representative of the Board from the list of representatives of the Board, referred to in paragraph 2, holding examination licence relevant to the type of the diploma examination, to the electronic mail address of the Board's Secretariat or to the electronic inbox of the minister competent for maritime economy.

5. The Chairman of the Board may appoint a representative of the Board other than proposed by the Dean of the relevant department of the university and shall inform the Dean accordingly via electronic mail, at least 3 days before the diploma examination is held.

6. The Dean of the relevant department of the university shall appoint the representative of the Board indicated by the Chairman of the Board to the examination board, pursuant to paragraph 5, and in absence of such indication – the representative of the Board proposed pursuant to paragraph 4.

§ 5. 1. The Chairman of the Board shall verify, whether the university has met the conditions for recognition of the diploma examination as equivalent to the qualification examination at the operational level, on the basis of the copy of the record referred to in § 3(3) and shall inform the Board's Secretariat whether such conditions have been met or not, no later than 14 days after submission of the copy of the record.

2. In case the university has met the conditions for recognition of the diploma examination as equivalent to the qualification examination at the operational level, the Board's Secretariat shall register the results of the diploma examination in the information and control system for Polish ports PHICS, which is an ICT system, immediately after the Chairman of the Board submits the information referred to in paragraph 1.

3. The registration of the results of diploma examinations recognised as equivalent to qualification examinations at the operational level shall be effected by placing the list of persons, who passed this examination in the information and control system for Polish ports PHICS, containing:

- 1) first name (name) and last name;
- 2) date and place of birth;
- 3) PESEL number, if applicable;

- 4) date and place of the diploma examination and indication of the university, where the examination was held,
- 5) type of studies, name of the department, faculty and specialisation;
- 6) the name of the qualification examination, to which the diploma examination is equivalent.

§ 6. By January 1st, 2017, the Board's Secretariat shall register the results of the diploma examinations recognised as equivalent to qualification examinations at the operational level, through placing data referred to in § 5(3) in the registry of results of the diploma examinations recognised as equivalent to qualification examinations at the operational level in the ICT system kept.

§ 7. 1. Within 14 days of entry into force of this Ordinance, the Dean of the relevant department of the university shall submit the first list of academic staff, who are examiners, referred to in § 4(1), to the electronic mail address of the Board's Secretariat or to the electronic inbox of the minister competent for maritime economy.

2. Within 14 days from submission of the list of academic staff, who are examiners pursuant to paragraph 1, by the Dean of the relevant department of the university, the Chairman of the Board shall draft and submit the first list of representatives of the Board to diploma examinations, referred to in § 4(2), to the electronic mail address of the Dean's Office of the relevant department of the university.

§ 8. The Ordinance shall enter into force on the day following the day of its publication.

On behalf of the Minister of Maritime Economy and Inland Navigation: *K. Kozłowski*