

Regulations of the Maritime Disciplinary Court of the Netherlands

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PREAMBLE

These are the Regulations of the Maritime Disciplinary Court of the Netherlands. The Regulations are particularly intended for interested parties, including in any case the captains and ships' officers subjected to disciplinary rulings, in order not to solely rely on possibly less accessible legislation and regulations in the event of a disciplinary case. This applies in particular to non-Dutch captains and officers. An English translation of the Regulations is available for them.

The Regulations mainly comprise a summary of the conditions of the new Seafarers Act and new Seafarers Decree, applicable during proceedings undertaken by the disciplinary court (in comprehensible language). This act and this decree came into force on 1 July 2025, and replace the previous Seafarers Act and Seafarers Decree. The literal text of the statutory conditions is shown in italics in these Regulations. Not all conditions of the act and decree have been transposed. The remaining part of the Regulations comprises a description of the maritime disciplinary court interpretation of future statutory authorities attributed to the court. In doing so, the maritime disciplinary court has taken into account requests and comments from chain partners (including ILT, Nautilus International, NVV, NVKK and KVNR). Should the Regulations (unintentionally) deviate from the conditions of the act and decree, such conditions will apply.

The Regulations will be adjusted in keeping with any amendments to statutory legislation. Should this not occur in a timely manner, once again the amended legislation will apply, rather than the Regulations.

GENERAL

Article 1 Definitions

(section 1 Seafarers Act)

In applying these Regulations, the following terms are used:

presiding judge: the (deputy) judge acting as judge during the hearing of an actual case;

crew: the captain, the officers, the ratings and other seafarers;

the person concerned: the captain or the officer to which a petition or complaint applies;

inspector: the inspector of the Human Environment and Transport Inspectorate (ILT); The inspector represents the Minister of Infrastructure and Water Management when submitting a petition to the maritime disciplinary court;

captain: master of a Dutch seagoing vessel;

complaint: a complaint by an interested party to bring a case against a person concerned to the maritime disciplinary court;

complainant: the party submitting a complaint to the maritime disciplinary court (for example a crew member);

Our Minister: Our Minister of Infrastructure and Water Management;

officer: member of the crew, not being the captain, who has been appointed officer by or according to the Seafarers Act;

seafarer: any person present on board the seagoing vessel during the voyage;

deputy judge: the person referred to in section 42 of the Seafarers Act, appointed by the Minister as deputy judge of the maritime disciplinary court;

ships' manager: owner or bareboat charterer of a seagoing vessel, or a partnership as referred to in section 194a of Book 8 of the Dutch Civil Code, to whom the owner has transferred responsibility for operation of the seagoing vessel, or in the case of a fishing vessel, the natural entity or legal entity to whom the owner has transferred responsibility for operation of the fishing vessel;

vessel: seagoing vessel authorised to sail under the flag of the Kingdom according to statutory legislation of the Netherlands;

skipper: captain of a fishing vessel;

secretary: the person referred to in section 46 of the Seafarers Act;

disciplinary court: Maritime Disciplinary Court referred to in section 41 of the Seafarers Act;

navigation authority: the authority to serve in one or more positions on board a seagoing vessel;

navigation licence: valid document issued by Our Minister as proof of the authority to serve in one or more positions on board a seagoing vessel, for which professional skills are required by or in accordance with the Seafarers Act;

petition: a petition by the inspector on behalf of Our Minister to bring a case against a person concerned to the maritime disciplinary court;

petitioner: the inspector submitting a petition to the maritime disciplinary court on behalf of Our Minister;

fishing vessel: seagoing vessel intended for or operated for commercial retrieval of fish or other living commodities from the sea;

presiding judge of the maritime disciplinary court: the person referred to in section 42 of the Seafarers Act, appointed by the Minister as presiding judge of the maritime disciplinary court;

seafarer: natural entity conducting work in any capacity on board of a seagoing vessel.

Article 2 Extent of disciplinary law

(section 41 paragraph 1 Seafarers Act)

The captain and the ship's officers are subject to disciplinary rules with regard to any act or omission contrary to the care expected of a good seaman in respect of the persons on board, the ship, the cargo, the environment or shipping traffic.

PRELIMINARY PROCEEDINGS OF A CASE

Article 3 Referral of a case

(section 48 Seafarers Act)

Cases are referred to the maritime disciplinary court by petition of the inspector (on behalf of Our Minister) or due to a complaint from an interested party.

Article 4 Method of submitting petitions and complaints

1. Petitions and complaints are submitted in writing or electronically, giving background reasons.

2. The postal address of the maritime disciplinary court is:

Maritime Disciplinary Court of the Netherlands, Damrak 387, 1012 ZJ AMSTERDAM

e-mail: secretariaat@tuchtcollegevoordescheepvaart.nl

3. The submittal date is the date of the secretariat of the maritime disciplinary court receiving the petition or complaint.

4. This date of submittal to the maritime disciplinary court determines whether the petition or complaint has been submitted on time.

5. The secretary sends written confirmation of receipt to the person submitting the petition or complaint, as quickly as possible following receipt of such petition or complaint.

Article 5 Content of the petition or complaint

(section 5.3 Seafarers Act)

1. *The petition or complaint will at least refer to:*

a. the surname, first name or initials, address, postal code and place of residence of the person submitting it;

b. the name of the person concerned and, if known, their first names or initials, address, postal code, place of residence and work, as well as their position on board the seagoing vessel at the time of the challenged behaviour to which the petition or complaint applies;

c. the name, and if known, the type of vessel on board of which the challenged behaviour took place;

d. if known, the name and official address of the manager of the vessel referred to under c;

e. a description of the behaviour to which the petition or complaint applies, with an indication of the date and time at which it took place;

f. a brief and official description of the objection of the petitioner or complainant against the captain or ship's officer concerned;

g. the date of the petition or complaint;

- h. the name and signature of the person submitting it;
 - i. if the complainant has named an authorised representative/counsel: the name, address and telephone number of this authorised representative/counsel.
2. If the complaint does not contain the information stated under a through i, or if such information proves to be incorrect, the presiding judge of the maritime disciplinary court will determine a period of time within which the person submitting the complaint has the opportunity to supplement or correct this information.
 3. *If requested by the complainant, the secretary will provide assistance in formulating the complaint.*

Article 6 Direct rejection of the petition or complaint

(section 49 paragraphs 1 through 3 Seafarers Act)

1. *The maritime disciplinary court will not accept a petition or complaint if the behaviour to which the petition or complaint applies took place more than two years prior to the petition or complaint being submitted (section 48 paragraph 3 Seafarers Act).*
2. *The presiding judge of the maritime disciplinary court may directly reject a petition or complaint following a brief investigation, with a description of his reasons for the decision, if he believes that the complainant is obviously inadmissible, or if the petition or complaint is obviously unfounded or of insufficient importance.*
3. *The secretary will send a copy of the written decision by the presiding judge of the maritime disciplinary court to the inspector and to the complainant, as quickly as possible.*
4. *The inspector and the complainant can appeal against the decision of the presiding judge of the maritime disciplinary court to reject a petition or a complaint, in writing or electronically to the maritime disciplinary court within two weeks of the day of the decision being sent. The decision by the presiding judge becomes void upon such objection.*

Article 7 Copy of the petition or complaint

1. Before sending a copy of the petition or the complaint to the person concerned, the secretary will seek contact with the person concerned where possible, in order to inform them and to refer them to the information on the maritime disciplinary court website, with regard to the possibilities for legal assistance and the further proceedings, among other matters.
2. *The secretary sends a copy of the petition or the complaint, well as any enclosed documents and supplements, to the person concerned, as quickly as possible (section 50 Seafarers Act).*
3. If the person concerned is a non-Dutch speaking captain or ship's officer, the secretary will provide them with a translation of the petition or complaint in the English language.

Article 8 Amicable settlement

(section 49 paragraph 4 Seafarers Act)

- 1. If the presiding judge of the maritime disciplinary court believes that a petition or complaint is suitable for amicable settlement, he will call on the person submitting the petition or complaint and the person concerned in order to assess such a settlement.*
2. If an amicable settlement is reached, it will be drawn up as a document and signed by the person concerned and the petitioner or complainant. A copy will be sent to the secretary.
- 3. If an amicable settlement is reached, the petition or complaint will be withdrawn.*

Article 9 Withdrawal of the petition or complaint

1. The person submitting the petition or complaint can always withdraw it, prior to a ruling being made, by informing the maritime disciplinary court of this in writing.
2. If the petitioner withdraws a petition or the complainant withdraws a complaint while the person concerned has already been informed, the maritime disciplinary court will further inform the person concerned as quickly as possible.

Article 10 Changing the scope of the complaint

1. The petitioner or complainant can request that the maritime disciplinary court make changes to the petition or complaint, until the point in time of the hearing of the petition or complaint.
2. Changes to the complaint or petition are no longer allowed once the person concerned has been given the opportunity to be heard.
3. The maritime disciplinary court will reject the request if it is contrary to proper proceedings.
4. If the request is accepted, sections 4, first paragraph (method of submitting), 7, second paragraph (copy), 12 (statement of defence) and 13 (extra written round) will apply accordingly.

Article 11 Death of the person concerned

In the event of death of the person concerned, any petition or complaint will not be processed, and any ongoing proceedings will be discontinued.

Article 12 Statement of defence

(section 50 paragraphs 2 and 3 Seafarers Act)

- 1. The presiding judge of the maritime disciplinary court gives the person concerned the opportunity to submit a written or electronic statement of defence to the maritime disciplinary court, within six weeks of the day that the copy of the petition or complaint is sent. The presiding judge can extend this period following a motivated request by the person concerned.*

2. The secretary will send a copy of the statement of defence to the petitioner or complainant, as quickly as possible.

Article 13 Extra written round

1. The presiding judge of the maritime disciplinary court can give the petitioner or complainant the opportunity to reply in writing within two weeks of the secretary sending the copy of the statement of defence. The presiding judge can extend this period following a motivated request by the petitioner or complainant.

2. The secretary will send a copy of the response to the person concerned, as quickly as possible.

3. If the first paragraph is applied, the presiding judge of the maritime disciplinary court will give the person concerned the opportunity for a further response within a period of two weeks after the secretary has sent the copy of the response by the petitioner or complainant. The presiding judge can extend this period following a motivated request by the person concerned.

4. The secretary will send a copy of the further response to the petitioner or complainant, as quickly as possible.

Article 14 Instigation of a preliminary investigation

1. Following a motivated request by the petitioner, the complainant or the person concerned, or on own initiative, the presiding judge of the maritime disciplinary court may decide to instigate a preliminary investigation (section 51 paragraph 1 Seafarers Act).

2. The intention of the presiding judge of the maritime disciplinary court to instigate a preliminary investigation will be communicated in writing to the petitioner or complainant and to the person concerned, as quickly as possible. If such investigation follows a request, this will be sent to them.

3. The presiding judge of the maritime disciplinary court assigns the preliminary investigation to one or more members or to the secretary (section 51 paragraph 1 Seafarers Act).

4. The presiding judge of the maritime disciplinary court can provide the preliminary investigator with instructions, such as giving the opportunity to (the counsel for) the person concerned and the petitioner or (the authorised representative/counsel of) the complainant, to attend any witness or expert interviews.

5. A written report is formulated of any interviews conducted within the scope of a preliminary investigation.

6. The preliminary investigation is concluded upon the issue of a written report by the preliminary investigator to the presiding judge of the maritime disciplinary court.

7. The presiding judge of the maritime disciplinary court can decide to suspend or terminate the preliminary investigation before the report is issued.

8. The secretary sends a report of the preliminary investigation to the petitioner or the complainant and to the person concerned (section 51 paragraph 4 Seafarers Act).

Article 15 Preliminary investigator

(section 51 paragraphs 2 and 3 Seafarers Act)

1. The person conducting the preliminary investigation is authorised:

a. to gain access to any location which he considers necessary in order to conduct the investigation, with police assistance if necessary, with the exception of a private residence without the permission of the resident;

b. to gain knowledge of all written documentation and information in computerised works found on board, which knowledge he believes to be relevant to the investigation, and to make copies thereof;

c. to interview the complainant and the person concerned;

d. to interview witnesses and experts;

e. to request all information on a case as referred to in article 3 of the Regulations.

2. The person conducting the preliminary investigation will play no part in the case proceedings at the hearing.

Article 16 Merging and dividing cases

1. The presiding judge can merge cases concerning an identical or related subject prior to the case proceedings, or can divide the proceedings of merged cases, either by law or on request.

2. A request to merge or divide cases can be made up until closure of the proceedings for the petition or complaint at the hearing.

HEARING

Article 17 Composition of the maritime disciplinary court at the hearing

(section 52 Seafarers Act)

- 1. Depending on the case, the proceedings will be heard by five or three members, namely the presiding judge and four or two members.*
- 2. When a case is to be heard following a challenge by the petitioner or the complainant against a decision by the presiding judge of the maritime disciplinary court, to reject a petition or complaint (section 49 article 3 Seafarers Act), the presiding judge will be replaced by one of his deputies.*

Article 18 Recusal and withdrawal

(section 53 Seafarers Act)

- 1. At the request of the person concerned or the petitioner or the complainant, any member, including the presiding judge, may be recused if there are any facts or circumstances which might negatively affect the impartiality of the maritime disciplinary court.*
- 2. Any member of the maritime disciplinary court, including the (deputy) presiding judge, may withdraw if there are any facts or circumstances which might negatively affect the impartiality of the maritime disciplinary court.*
- 3. The remaining members of the Maritime disciplinary court responsible for hearing the case will decide as quickly as possible regarding the request for refusal or withdrawal of their fellow member. Upon tied votes, the request for refusal or withdrawal will be granted.*

Article 19 Scheduled hearing

(section 54 Seafarers Act)

- 1. The presiding judge determines the time of the hearing.*
- 2. If there is an important reason (for example to avoid a no-show), the maritime disciplinary court can determine that the hearing should take place wholly or partially online. The hearing preferably takes a physical form.*
- 3. Should the hearing take place online, the secretary will request of the employer, shipowner or ship management that every effort is made to facilitate the person concerned where necessary.*

Article 20 Notification

- 1. The secretary will give the complainant and the person concerned at least four weeks' notification of the day of the hearing, by registered letter. The person concerned will also be given notification via a standard postal letter (section 54 paragraph 1 Seafarers Act).*

2. The person concerned must by law attend following such notification. This is also communicated in the notification.

3. The notification will at least include:

a. the date, the time and the location of the hearing;

b. the names of the witnesses and experts called to testify at the hearing;

c. the communication that the person concerned and the petitioner or the complainant can request that the maritime disciplinary court hears witnesses and experts.

4. The notification will be accompanied by a copy of the petition or the complaint, as well as all documents pertaining to the case, in so far as these have not already been provided.

5. If the person concerned does not appear at the hearing (even though he should reasonably be considered to be aware of the hearing), the maritime disciplinary court can rule by default or can request that the public prosecutor summons the person concerned. Following such a summons, he is obliged by law to attend (section 54 paragraph 2 Seafarers Acts).

6. If the person concerned thus summoned fails to attend the hearing, the maritime disciplinary court can request that the public prosecutor summons the person concerned, with an order to appear (with assistance from the police) (section 54 paragraph 3 Seafarers Act).

Article 21 - Legal aid and representation

(section 54 paragraphs 4 through 6 Seafarers Act)

1. *The person concerned can request legal aid from counsel.* The various possibilities for legal aid are given on the Internet site of the maritime disciplinary court.

2. *The person submitting the petition or complaint can be represented at the hearing by an authorised representative (if he himself does not attend) or by counsel (if he himself does attend).*

3. *Following motivation of reasons, the maritime disciplinary court may refuse certain persons access to the hearing, if they are not a lawyer, counsel or authorised representative. In the event of such a refusal, the maritime disciplinary court will retain the case as the starting point for a following hearing.*

Article 22 Procedure at the hearing

(section 54 Seafarers Act)

1. *The maritime disciplinary court will hear the case at a public hearing. If there is important reason, the maritime disciplinary court may determine that the hearing take place wholly or partially behind closed doors.*

2. The presiding judge safeguards law and order at the hearing. Insofar the methodology of the maritime disciplinary court is not recorded in the Regulations, this will be determined by the presiding judge. There is no independent legal remedy against the use of this authority by the presiding judge.

3. The maritime disciplinary court makes an audio recording of the hearing, which is stored until the end of the period for appeal, or until a ruling has been made in any further appeal. Any other participants and attendees are strictly prohibited from making video and/or audio recordings.
4. The petitioner (the inspector) brings the case before the hearing.
5. The presiding judge, who questions the attending person concerned, will also give the other members of the maritime disciplinary court, the petitioner or complainant attending the hearing and the counsel of the person concerned, the opportunity to ask questions.
6. The petitioner (the inspector) is then given the opportunity to formulate his objection.
7. The (counsel of the) person concerned is then given the opportunity to plead a defence.
8. Any victims and/or next of kin are entitled to speak at the hearing.
9. If the complainant, the person concerned and the victims/next of kin do not speak the Dutch language, the secretary will ensure that an interpreter is present, so that the contents of the hearing can be translated into their native tongue as effectively as possible.
10. Prior to closing the hearing proceedings, the attending person concerned is given the opportunity to have the final word.

Article 23 Witnesses and experts

(section 55 Seafarers Act)

- 1. The maritime disciplinary court can call and question witnesses and experts by law or on the request of the person concerned or the petitioner or the complainant.*
- 2. The members and the extraordinary members of the Dutch Safety Board (OVV), the general secretary and the employees of the OVV, and the relevant experts appointed by Our Minister at the request of the OVV may not be called up by the maritime disciplinary court as witnesses or experts.*
- 3. The secretary notifies witnesses and experts of their required attendance at the hearing by registered letter. Anyone notified by the maritime disciplinary court in this manner as either a witness or expert, is obliged to attend.*
- 4. If a witness or expert thus notified fails to attend the hearing, the maritime disciplinary court can request that the public prosecutor summons the witness or expert. He is obliged to attend following such summons.*
- 5. If a witness or expert thus summoned fails to attend the hearing, the maritime disciplinary court can request that the public prosecutor summons the witness or expert one more time, with an order to appear (with assistance from the police).*
- 6. The presiding judge administers the oath to witnesses to tell the whole truth and nothing but the truth. Witnesses are obliged to answer any questions put to them.*
- 7. The presiding judge administers the oath to experts to act in good conscience. Experts are obliged to prove the services demanded by the maritime disciplinary court.*

8. The presiding judge, who questions the attending witnesses/experts, will also give the other members of the maritime disciplinary court, the petitioner or complainant attending the hearing and (the counsel of) the person concerned, the opportunity to ask questions.

9. Sections 217 through 219 of the Dutch criminal code (right of withdrawal) also apply accordingly to the witnesses and experts.

10. Upon providing proof of their notification or summons, the witnesses and experts can request payment of costs, to be determined by the presiding judge, in accordance with the conditions of or by the Act on rates payable for criminal proceedings.

Article 24 Suspension of proceedings at the hearing

1. The maritime disciplinary court can opt to suspend proceedings at the hearing.
2. If the proceedings are suspended at the hearing, the presiding judge will determine the date and time at which the hearing is to be resumed, as quickly as possible. The secretary will notify the person concerned and the petitioner or complainant of this as quickly as possible, unless the time of resuming the hearing has already been stipulated by word of mouth of the presiding judge, and the person concerned and petitioner or complainant have already been informed.
3. If the time of resuming the hearing has not been informed by word-of-mouth in accordance with the second paragraph, article 20 (notification) applies accordingly.

Article 25 Closure of proceedings at the hearing

1. The presiding judge of the maritime disciplinary court closes the proceedings at the hearing, once the maritime disciplinary court is of the opinion that the investigation is complete.
2. As soon as the proceedings are closed at the hearing, the presiding judge of the maritime disciplinary court announces the date on which the ruling will be made.

Article 26 Reopening the investigation

1. The maritime disciplinary court can reopen the investigation if it is of the opinion that it was not complete.
2. The secretary will notify the person concerned and the petitioner or the complainant as quickly as possible. Article 20 applies accordingly.

Article 27 Written report of the hearing

1. If an appeal is made against a ruling of the maritime disciplinary court, the secretary draws up a written report of the proceedings and the hearing, which is then signed by the presiding judge and the secretary, and sent to the petitioner or complainant and to the person concerned.
2. In all other cases, a written report will only be provided upon a motivated request.

3. The written report of the hearing also contains the names of the presiding judge and of the other members of the disciplinary court responsible for hearing the case, that of the secretary, the parties concerned and their representatives or authorised persons appearing at the hearing, and those persons having provided them with legal aid, as well as witnesses, experts and interpreters attending the hearing.

RULING

Article 28 Basis for the ruling

1. The maritime disciplinary court makes a ruling on the basis of the petition or the complaint, the documents provided, including the statement of defence, the subject matter of the preliminary investigation and the proceedings at the hearing.
2. The maritime disciplinary court will only use information or evidence after having given all parties the opportunity to become acquainted with such information and to react accordingly, in a manner to be stipulated by the maritime disciplinary court.
3. The maritime disciplinary court does not take into account any documents received from parties after the hearing, unless the maritime disciplinary court has explicitly requested that such documents be sent.

Article 29 Decision and ruling

1. The maritime disciplinary court decides by majority vote.
2. The maritime disciplinary court makes a ruling within two months of closing the proceedings at the hearing. The maritime disciplinary court can extend this period by an extra period it believes to be reasonable, a maximum of one time. The secretary will inform the petitioner or complainant and the person concerned of such an extended period, as quickly as possible.
3. The maritime disciplinary court puts the decision in writing. *The decision is based on sound motivation (section 57 Seafarers Act).*
4. The paper version of the decision is signed by the presiding judge and the secretary.
5. The decision is as follows:
 - a. declaring the maritime disciplinary court unauthorised or
 - b. declaring the complaint or petition of the complainant or petitioner to be inadmissible or
 - c. declaring the petition or the complaint to be unfounded or
 - d. declaring the petition or complaint to be well-founded.
6. If the petition or the complaint is found to be wholly or partially well-founded, a decision will also be made on imposing the disciplinary measures referred to in article 30.
7. The decision made by the disciplinary court may include focal points for professional practice.
8. *The secretary will send a (digital) copy of the decision on paper, to the person concerned and to the petitioner or complainant as quickly as possible (section 5.4 paragraph 1 Seafarers Act).*
9. The person concerned and the petitioner or complainant are then informed that an appeal may be made, with information on when and where.
10. The signed decision will be filed at the secretariat of the maritime disciplinary court, and published on the court website in an anonymized version.

Article 30

(section 56 Seafarers Act)

1. If the maritime disciplinary court is of the opinion that an objection made against a person concerned is well-founded, it can impose one of the following disciplinary measures:

a. warning;

b. reprimand;

c. a fine of maximum € 10,300 (a third category amount, referred to in section 23, fourth paragraph, Dutch Penal Code);

d. suspension of the navigation licence for a maximum period of two years.

2. When imposing a fine, the maritime disciplinary court determines the period or periods within which the fine must be paid. All amounts payable become the property of the State. The fine is paid to Our Minister.

3. The fine and the suspension of the navigation licence can only be imposed once the decision of the maritime disciplinary court has become irrevocable.

4. A decision becomes irrevocable 1) if no appeal has been made by the end of the period for appeal or 2) if the person concerned and the petitioner or complainant waive any right to further legal remedy.

Article 31 Conditionally imposing disciplinary measures

(section 56 paragraph 4 Seafarers Act)

1. When imposing a fine or suspension of the navigation licence, the maritime disciplinary court may stipulate this will not be wholly or partially imposed unless the court stipulates otherwise in a subsequent ruling based on the fact that the person concerned has once again behaved contrary to his duty of care as a good seaman in respect of the persons on board, the ship, the cargo, the environment or shipping traffic prior to the end of a probationary period of maximum two years.

2. The maritime disciplinary court may attach a particular stipulation to a conditionally imposed disciplinary measure. Should the person concerned fail to comply with the particular stipulation during the probationary period, the maritime disciplinary court may stipulate that the conditional part of the measure be imposed after all.

3. The maritime disciplinary court stipulates when the probation period will begin.

Article 32 Suspension of the navigation licence

(section 57 paragraphs 3 and 4 Seafarers Act)

1. If the maritime disciplinary court ruling demands suspension of the navigation licence, the secretary will notify the person concerned of the following in a registered letter:

a. the date on which the suspension commences,

b. the obligation to submit his (endorsement of the valid) navigation licence/licenses before that date to the Central register of crew data given in article 76 of the Seafarers Act

c. the consequences of non-timely submittal of (the endorsement of) the (valid) navigation licence/licenses, on the basis of the third paragraph.

2. In exceptional cases, the maritime disciplinary court may allow the suspension of the navigation licence to commence at a different time to that given in the decision, following a motivated request by the person concerned. In such cases, the maritime disciplinary court will request advice from the inspector.

3. If the person concerned fails to submit his (endorsement of the valid) navigation licence/licenses before the applicable date to the Central register of crew data, the period of suspension of the navigation licence will be legally extended by the period which passed between the date on which the suspension commenced and the date on which (the endorsement of) the (valid) navigation licence/licenses was/were actually submitted.

4. The secretary will send a copy of the written decision by the maritime disciplinary court and of the registered letter to the person concerned, for registration to the Central register of crew data.

APPEAL

Article 33 Appeal

1. Appeals concerning disciplinary law are heard by the Dutch Trade and Industry Appeals Tribunal. This Appeals Tribunal provides a final ruling (section 41 paragraph 3 Seafarers Act).

2. An appeal against a ruling by the maritime disciplinary court can be made by the person concerned, the petitioner or the complainant within six weeks of the day on which the ruling was sent, to the Dutch Trade and Industry Appeals Tribunal (section 58 Seafarers Act).