

Headquarters. If necessary, the entire key staff of the Headquarters can quickly be mobilised for maritime SAR duties.

During a maritime SAR emergency phase the role of the SMC can be passed on from one person to another in contexts such as prolonged search or rescue operations. This should not, however, take place during response to an acute distress phase unless necessary to secure sufficient functional capacity. On the other hand, the duty must be passed on to another person before the person acting as the SMC becomes exhausted. When passing the duties on, the SMC assuming responsibility for the role must acquaint themselves with the situation carefully and thoroughly before assuming the responsibilities of the role. The maritime SAR mission situation, plan, available resources, their duties and restrictions and the measures taken must be covered unambiguously and the switchover of the SMC's role must be documented. Decisions on SMC switchover in the middle of a distress phase are made by the Search and Rescue Co-Ordinator (SC), their deputy or the Chief of the MRCC/MRSC in question.

The Commander of the Coast Guard District (or their deputy) is responsible in all situations for the delivery of maritime SAR in their SRS. In emergency phases that call for large-scale response activity, the Commander chairs the SRS Management Board and this way as the overall leader of the operation creates the best possible operational conditions for the SMC to succeed in SAR coordination. The Commander plays a particularly important role as a maritime SAR leader in situations where exceptional or extra resources are needed. As the chair of the SRS Management Board the Commander also participates actively in the harmonisation of the activities of the maritime SAR authorities, volunteer associations and other organisations and provision of decision-making support to the SMC.

Both the On-Scene Coordinator (OSC) and the Aircraft Coordinator (ACO) have power of command over the SRUs and other units assigned to operate under them.

### 3.4.2 Initiation of SAR action

Depending on the emergency phase at hand, the MRCC/MRSCs initiate action in accordance with their Maritime SAR Plans as follows:

In the **uncertainty phase** there is uncertainty about a person's safety at sea or another reason to take measures to assess whether there is any need for assistance. Upon the declaration of this phase, the MRCC/MRSC initiates inquiries to determine whether there are persons in distress. In this phase the mobilisation readiness of SRUs can also be raised, but the situation does not yet necessarily call for the use of SRUs.

In the **alert phase** a person's safety at sea can be assumed to have been compromised or inquiries made due to the uncertainty phase have been unsuccessful. The MRCC/MRSC expands the coverage of inquiries and initiates the necessary search action to determine whether the distress phase should be declared and prepares to initiate any necessary rescue action. In the alert phase coordination readiness is raised and SRUs are alerted for the mission.

In the **distress phase** it is apparent that a person is in danger at sea and in need of immediate assistance. The MRCC/MRSC takes all the necessary action to save human lives that is possible and appropriate with the resources available. The initiation of distress radio traffic helps maximise the speed of response by vessels and aircraft available for SAR action and facilitate coordination capacities. The mobilisation of SRUs takes place in a front-loaded manner and measures are taken to prepare to mobilise additional resources.

The MRCC/MRSCs must also notify the Police coordination centre or department determined on the basis of the Police area responsibility principle of a SAR operation where it is likely that the operation will need to be continued as a Police-led search for missing persons once the SAR operation has been completed.

**Maritime assistance tasks** are not maritime SAR tasks even if maritime SRUs are used for them. The purpose of assistance tasks is to help people in situations that are not maritime SAR emergency phases but in which external help is necessary and there is no other appropriate source of help available. As a rule, assistance tasks are conducted alongside other activity through the targeting of units and patrols on duty.

The appropriate, speedy and efficient initiation and conduct of maritime SAR operations require that the MRCC/MRSCs actively gather information from all available sources during emergency phases. The primary objective of such gathering of information is to facilitate the precise location of a person who is possibly in need of assistance at sea and the determination of their need of assistance.

For the purpose of maritime SAR preparedness planning and during emergency phases, the Border Guard has the right to obtain necessary information including the following from other authorities in order to be able to perform its duties:

- details of vehicles, vehicle owners and holders contained in the Vehicle and Driver Data Registers of the road traffic data system maintained by the *Transport Safety Agency* and the Vehicle Register of the Government of Åland;
- data regarding distress messages and emergency phases as well as *preparedness and location data on authorities operating at sea* contained in the *Emergency Response Centre data system*, including the Police assignment report register;
- details of aircraft, aircraft owners and holders contained in the *Finnish Aircraft Register maintained by the Transport Safety Agency and the Emergency Locator Transmitter Register maintained by the air traffic service provider*;
- data on vessels and vessel and cargo traffic from municipal port authorities;
- data on fishing vessels, their owners and holders and data on vessel functionality from fishing authorities;
- data on vessels, their owners and holders from vessel registers maintained by the Transport Safety Agency and the Government of Åland and other registers maintained by the Transport Safety Agency;
- data on vessel traffic from the Vessel Traffic Service System maintained by the Finnish Transport Agency and data related to maritime surveillance from the Defence Forces;
- data on positions of radio equipment, and on radio equipment, its owners and holders contained in the register of radio licences, from the Finnish Communications Regulatory Agency (FICORA);
- data on vessel and cargo traffic from the data system of Finnish Customs;
- data referred to in sections 4 and 5 of the Population Information Act (507/1993)\* from the Population Information System of the Population Register Centre;
 

(\*= The act is now titled "the act on the Population Information System and the certificate services of the Population Register Center" (661/2009/661), with sections 13–17 containing the corresponding provisions.)
- weather and navigational data and related forecasts from the Finnish Meteorological Institute.

According to the Maritime Search and Rescue Act, data contained in the Border Guard's Border Management Register can be used where necessary during emergency phases to deliver SAR action.

Appropriate attendance to maritime SAR duties may also call for access to various types of information regarding persons and vessels in danger held by certain private companies

and organisations. Therefore, during maritime SAR emergency phases and in the context of preparedness planning, the Border Guard has the right to obtain free of charge details of vessels and their crews, passengers and cargo from shipping companies, boating organisations, travel, cargo, port and rescue service operators and shipbuilding companies that are necessary for the performance of maritime SAR duties.

The MRCC/MRSC has the right during emergency phases to obtain from telecommunications operators identification data of the subscriber connection and location data of the terminal device from which an emergency call was placed or that it pertains to as well as information on the subscriber, user and installation address. Therefore telecommunications operators are obliged to disclose to the MRCC/MRSC the identification data of the subscriber connection from which the call was placed or which it pertains to and information on the subscriber, user and installation address of the subscriber connection as well as the known position of the mobile device from which an emergency call was made. The operator must also disclose the known position of the mobile device of a person about whom a distress message has been sent if the subscription user is, according to the SMC's justified view, apparently in distress or immediate danger at sea.

### 3.4.3 Principles of use and operations of SRUs

Units are used for SAR actions on the basis of the nature and urgency of the emergency phase. SRUs' equipment, the level of training of their personnel and their suitability with regard to the area, the level of demandingness of the conditions and the mission as well as their estimated time of arrival affect the choice of units used and alerted. Units primarily used for basic-level emergency medical services are SAR helicopters on call that are most suitable for such missions in terms of their equipment and crew.

The mobilisation of SRUs takes place in a frontloaded manner. In the use of resources it is first ensured that there is access to sufficient SAR resources for the mission and, secondly, decisions are made on the scale of unit usage and mobilisation of further resources to make sure there will also be sufficient resources for SAR response to any other simultaneous emergency phases. A unit that has been alerted must inform the MRCC/MRSC of its estimated time of departure and arrival to the scene. The appropriate MRCC/MRSC must also be informed without delay if the unit cannot participate in the SAR operation.

The SRU must also show initiative in taking any necessary and possible measures required by the situation in order to save those in danger. The appropriate MRCC/MRSC must be notified without delay of the emergency phase and the measures taken in response.

Once they have been alerted, SRUs must operate in compliance with the SMC's orders and instructions. The SMC assigns individual tasks for each SRU. The assignment usually contains information about the scene, the coordination structure and the communication method used, a description of the target of search or rescue, information about the type of assistance required by those in danger and, if necessary, the search area and method.

All or only some of the SRUs participating in the mission can also be ordered to operate under the On-Scene Coordinator (OSC) or Aircraft Coordinator (ACO). If the SMC appoints an OSC or ACO, all SRUs participating in the operation must be informed of this as soon as possible.

The Border Guard's own aircraft are primarily used for maritime SAR flights. Other Finnish aircraft are alerted to participate in accordance with the instructions valid at the time. Foreign aircraft are alerted via the MRCC of the country in question. Requests for support are also provided for the information of the Aeronautical Rescue Coordination Centre (ARCC).

Once the search is completed, the SMC must be informed so that the SMC can assign the SRUs best suited for the rescue work and other necessary help to the scene. Units performing rescue work must constantly keep the SMC aware of the progress made and immediately inform the SMC if any further assistance is required.

An SRU may suspend or terminate a SAR duty assigned to it only if authorised by the SMC in question. The SMC/OSC/ACO in question must be informed immediately if an SRU has to deviate from the task assigned to it.

#### 3.4.4 Isolation of a scene

The Search and Rescue Mission Coordinator (SMC) may temporarily prohibit access to the sea area on which a SAR mission takes place and restrict access if this is necessary to secure the efficient performance of SAR operations and to avoid further emergency phases. Before making a decision regarding public fairways, the SMC must, in order to organise traffic control, consult the maritime authority responsible within the Vessel Traffic Service (VTS) area. In the VTS area referred to in the Vessel Traffic Service Act, decisions regarding the isolation of an SAR area are made by the VTS authority following proposal by the SMC. The VTS authority may also otherwise temporarily order a water area or fairway to be closed off fully or in part and impose speed limits in the area or fairway.

The SMC may request the Finnish Civil Aviation Authority to prohibit, within the scope of its powers, access to the airspace in which the SAR mission takes place or restrict access if this is necessary to secure the efficient performance of SAR operations.

The scene should be isolated to secure the success of SAR actions in all major accidents and otherwise with regard to airspace if several aircraft are employed in SAR, aircraft activity is prolonged or if so required by particularly demanding or crowded conditions.

The needs of the Accident Investigation Board must always be determined before isolation is discontinued. To secure accident investigations, the Accident Investigation Board may issue orders regarding the isolation of an area or target or prohibit the transport of those deceased in the accident within or out of the area.

#### 3.4.5 Maritime SAR-related Maritime Assistance Services and Telemedical Assistance Services

The purpose of the Maritime Assistance Services (MAS) is to both facilitate contacts by foreign and domestic commercial vessels with local authorities and increase the efficiency of the systematic processing of information provided by vessels in emergency phases less serious than accidents. At the same time the MAS provide the maritime SAR services with better opportunities for anticipatory increase of preparedness in situations that may potentially develop into emergency phases.

In accordance with the International Maritime Organization (IMO) recommendations, MAS in Finland are produced at MRCC Turku.

Telemedical Assistance Services (TMAS, formerly also called "Radio Medical" or "TE-MECO"), are part of maritime SAR services in which health care authorities also participate. The definition of TMAS is based on the provisions laid down by the ILO Convention concerning Health Protection and Medical Care for Seafarers and by the International Maritime Organization (IMO). According to the definition of the term, TMAS only means urgent medical consultations that cannot be provided through the regular health care system.

In Finland the MRCC/MRSCs relay, primarily via satellite and mobile phone systems, urgent calls made by seafarers to designated emergency physicians on call, from whom those in need for assistance receive the necessary treatment instructions and the medical risk assessment required in the situation. If a vessel does not have a satellite or mobile phone, the TMAS can also be accessed via the maritime SAR VHF or MF frequencies. This, however, is not the primary method of transmission for the TMAS because the

MRCC/MRSC cannot put these calls through to the physician directly via the telephone network.

### 3.4.6 Suspension and termination of operations

The Search and Rescue Mission Coordinator (SMC) may temporarily suspend the search or rescue operation if appropriate SAR actions are prevented by the prevailing conditions. The suspension must be negotiated with the Search and Rescue Co-Ordinator (SC) or their deputy. The reasons for the suspension must be entered in full in the Maritime SAR Information System. Actions must be resumed once the obstacle no longer exists. In individual cases the SC or their deputy may exercise their right to decide upon the matter.

The SMC makes the decision to terminate SAR activity when it has been established on the basis of inquiries made and search measures performed that there is no need for further measures or once all those in danger have been located and rescued. The SMC may also decide to terminate a search when it has become apparent that there is no longer justified hope of finding any more survivors. In such cases, before a decision is made to terminate SAR activity, the MRCC/MRSC must notify the Police coordination centre or department determined on the basis of the Police area responsibility principle of the planned termination so that it can make preparations for a possible search for missing persons and to agree upon any transfer of coordination responsibility.

The SMC must ensure that the decision to suspend or terminate SAR operations must be communicated immediately to all units, coordination and management levels and key stakeholders by sending the international expression for distress traffic cessation in accordance with the International Telecommunication Union (ITU) Radio Regulations and in any other appropriate manner.

### 3.5 Fees and compensations

The state will pay persons who upon an order by the Search and Rescue Mission Coordinator (SMC) has assisted in a maritime SAR task a reasonable fee and compensate for the costs incurred. The state will also pay compensation for tools, clothing and equipment that have been damaged or lost in such a duty. The state will pay full compensation for property that has been taken into use upon the SMC's order and for property that has been damaged, lost or destroyed. The MRCC/MRSC informs the persons ordered for the task about the method to be used to apply for compensation.

The state will pay fees and compensation for costs incurred to volunteer associations or other organisations under the same principles as to private persons or as agreed with the organisation in question. The payment of a fee and compensation for costs is subject to the condition that the Border Guard has expressly assigned the task in question to the volunteer association or other organisation.

Applications for a fee or compensation must be submitted to the Border Guard using the designated form within three months of the date on which grounds for the payment of a fee or compensation occurred. The form must be submitted to the Border Guard in compliance with the up-to-date invoicing instructions.

Compensation for accidents during a maritime SAR task is paid in accordance with the principles applied to accidents at work where the person injured is not entitled to at least the same amount of compensation under another act of law.

If the employer of the injured person has paid the person pay or advance or other payments regarding the accident that is subject to compensation under the Maritime Search and Rescue Act, the provisions of the Employment Accidents Insurance Act (608/48) on the employer's rights apply to the employer's rights.

The first instance for the processing of cases regarding payment of compensation for an accident by the state is the State Treasury.

### **3.6 Statistics and investigations**

Material accrued during emergency phases and resulting measures must be retained at the MRCC/MRSCs for statistics and investigations as stipulated under the Border Guard's internal instructions. The purpose of statistics and investigations is to promote increased safety at sea and accident prevention and provide the foundation for maritime SAR development. The provisions of the Personal Data Act (523/1999) apply to the processing of personal data in the Maritime SAR Register.

Accidents in waterborne traffic are investigated as provided for in the Accident Investigation Act (373/1985). Maritime SAR services provide support to the Accident Investigation Board in the investigation of accidents as laid down in the Act and notifies the Board of every commercial shipping accident and emergency phase concerning a major accident within Finland's Search and Rescue Regions (SRR) as well as every accident involving a Finnish vessel outside Finland's SRR.

The Police are responsible for criminal investigations into accidents. The Border Guard supports the investigations to the extent necessary.

### **3.7 Saving of property**

Maritime SAR actions focus on the search for and rescue of persons in danger at sea. Although the saving of property is not included in maritime SAR duties, SRUs may case-specifically also employ the saving of property as a means of safeguarding life, provided that in such a case the saving of property is the most feasible method of saving the person in danger.

The saving of property is primarily carried out by commercial rescue operators on the basis of a rescue agreement concluded with the master of the vessel, shipowner or insurance company. If a maritime SAR emergency phase or assistance task involves rescue or assistance regarding not only persons but also property, this only takes place until the nearest safe haven. From there onwards the owner of the vessel is responsible for any measures regarding the vessel and costs arising thereof.

To prevent considerable further loss or damage, maritime SAR units can be used in a limited manner to save property, including when there are no persons on board the vessel.

The responsibility of the master of the vessel is emphasised in the restriction of loss or damage resulting from accidents. The master is always responsible for their vessel's safety and responsible for coordinating rescue action on board their vessel in all circumstances.

### **3.8 Release of public information**

Release of information to the public is part of SAR operations and successful information provision can play a major role in the processing of the case. Release of information must not, however, violate the protection of privacy, so the rights of relatives and injured parties must be taken into consideration with great emphasis.

The provision of information about maritime SAR incidents depends on the level of seriousness and general interest of the incident. The release of information is initiated by the leading MRCC/MRSC. From then on the responsible Search and Rescue Coordinator (SC) or a person authorised by them is responsible for the provision of information about the case. The maritime SAR services are also responsible for general information provision about multimodal accidents as long as the case is about saving human lives. When the overall coordination responsibility is transferred to another authority, the re-

sponsibility for information provision is also transferred unless otherwise agreed case-specifically. Alongside general information provision, each participant only releases information about its own actions as mutually agreed.

A more detailed description of the release of public information by maritime SAR authorities regarding maritime SAR incidents can be found in [Annex 11](#).