

Translation. Only the Danish version has legal validity.

Order no. 74 of 29 January 2013 issued by the Danish Maritime Authority

Order on the rights of ship passengers

In pursuance of section 440 and section 514a of the merchant shipping act (*søloven*), cf. consolidated act no. 856 of 1 July 2010, as amended by act no. 249 of 21 March 2012 and act no. 1384 of 23 December 2012, as well as by authority, the following provisions are laid down:

Section 1. This order concerns the application of Regulation (EU) no. 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterways (the passenger rights regulation) and amending Regulation (EC) no. 2006/2004 within the scope of the merchant shipping act (*søloven*) and the act on safety at sea (*lov om sikkerhed til søs*).

Section 2. Complaints from passengers related to the Regulation that are not considered by the Danish Competition and Consumer Authority or the Danish Package Tour Appeal Board (*Pakkerejseankenævnet*) may be brought before the Danish Maritime Authority. Complaints shall be forwarded digitally via the web-page of the Danish Maritime Authority, www.soefartsstyrelsen.dk. Complaints about terminal operators may, however, be forwarded to the Danish Coastal Authority.

Subsection 2. Before the Danish Maritime Authority can consider a complaint, a written complaint shall have been made to the carrier in accordance with article 24, paragraph 2, of the Regulation.

Section 3. The passenger shall pay a fee of DKK 160.00 for the Danish Maritime Authority's consideration of a complaint. However, fees are not payable for complaints related to conditions covered by the provisions of the Regulation on special rights for persons with functional disabilities.

Subsection 2. If the passenger's complaint is accepted, the fee shall be repaid.

Subsection 3. If the passenger's complaint is accepted, an economic operator shall pay an amount of DKK 9,000.00 for the expenses incurred by the Danish Maritime Authority in connection with the consideration of a case, cf. however subsection 4.

Subsection 4. If an economic operator accepts the passenger's claim no later than three weeks after having been presented with the complaint by the Danish Maritime Authority, the economic operator shall pay an amount of DKK 3,000.00 for the expenses incurred by the Danish Maritime Authority in connection with the consideration of the case.

Section 4. Carriers covered by the Regulation that have, during one calendar year, had more than 100,000 business-related passenger movements shall inform the Danish Maritime Authority hereof no later than on 1 March the following calendar year.

Subsection 2. Reporting may be omitted if the carrier during the previous calendar year pursuant to subsection 1 reported to have more than 100,000 business-related passenger movements.

Section 5. Anyone grossly contravening the Regulation shall be liable to punishment by fine.

Section 6. This order shall not apply to the Faroe Islands and to Greenland.

Section 7. This order shall enter into force on 1 February 2013.

Danish Maritime Authority, 29 January 2013

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