

Translation: Only the Danish document has legal validity.

*Order No. 356 of 18 of March 2022
issued by the Danish Maritime Authority*

Order amending the technical regulation on loading and unloading of bulk carriers

Technical Regulation No. 9639 of 9 October 2002 on loading and unloading of bulk carriers is amended as follows:

1. The following *footnote* is added to the title of the technical regulation:

"1) The technical regulation implements Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 on establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers, Official Journal 2002, No. L 013, p. 9, as amended by Directive 2002/84/EC of the European Parliament and of the Council, Official Journal 2002, No. L 324, p. 53, and Regulation (EC) No. 1137/2008 of the European Parliament and of the Council, Official Journal 2008, No. L 311, page 1."

2. *Section 2* is replaced by the following:

"**Section 2.** Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 on establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers, as amended by Directive 2002/84/EC of the European Parliament and of the Council and Regulation (EC) No. 1137/2008 of the European Parliament and of the Council, which is reproduced as an annex to this Regulation, shall apply to the loading and unloading of bulk carriers in Danish ports."

3. *In the Annex, Article 3(No. 3)* is replaced by the following:

"(3) "BLU Code" means the Code of Practice for the Safe Loading and Unloading of Bulk Carriers, as set out in the Annex to IMO Resolution A. 862(20) of 27 November 1997, in its up-to-date version."

4. *Articles 14 and 15* of the Annex are replaced by the following:

Article 14

Committee procedure

The Commission shall be assisted by the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) established by Article 3 of Regulation (EC) No. 2099/2002.

Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

Article 15

Amendment procedure

1. The definitions in Article 3(1) to (6) and (15) to (18) shall apply, and references to international conventions and codes, references to IMO Resolutions and Circulars, references to ISO standards and references to Community acts, as well as the Annexes, may be amended to the extent necessary to take account of developments in the field of maritime safety necessary to bring them into line with international and Community rules adopted, amended or entering into force after the adoption of this Directive, provided that the scope of this Directive is not broadened. Those measures designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 14(2).

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2. The Commission may amend Article 8 and the Annexes in order to implement the procedures laid down in this Directive and may amend or repeal the reporting obligations laid down in Article 11(2) and Article 12, provided that such amendments do not broaden the scope of this Directive. Those measures designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 14(2).

3. Amendments to the international instruments referred to in Article 3 may be excluded from the scope of this Directive, in accordance with Article 5 of Regulation (EC) No. 2099/2002."

Section 2

The Order will enter into force on 1 April 2022.

The Danish Maritime Authority, 18 March 2022

Martin Hvid John

/ Malene Loftager Mundt