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Technical Regulation no. 169 of 4 March 2009 issued by the Danish Maritime Authority

Technical regulation on the use of ice searchlights during navigation in Greenland waters

In pursuance of section 1(3), section 3, section 6 and section 32 of the Act on Safety at Sea, cf. Consolidated Act no. 903 of 12 July 2007, as put into force by Decree no. 882 of 25 August 2008 on the entry into force of the Act on Safety of Sea in Greenland, after consultation with the Greenland Home Rule and by authority, the following provisions are laid down:

Application

Section 1. This technical regulation shall apply to:

- 1) Danish and Greenland cargo and passenger ships with a gross tonnage of or above 150 engaged in voyages in Greenland territorial waters.
- 2) Foreign passenger ships with a gross tonnage of or above 150 engaged in voyages in internal Greenland territorial waters, roadsteads, port facilities and places of call.
- 3) Foreign cargo ships with a gross tonnage of or above 150 engaged in regular service on Greenland.

Definitions

Section 2. A “fixed ice searchlight” shall mean a searchlight that cannot be moved in relation to the direction in which it has been fitted.

Subsection 2. “Internal Greenland territorial waters” shall mean waters within the base line stipulated in accordance with Decree no. 191 of 27 May 1963, as amended by Decree no. 636 of 6 September 1991. The base line is shown on official Danish charts.

Subsection 3. “Territorial waters” shall mean internal and external territorial waters extending 3 nautical miles from the base line.

Equipment requirements

Section 3. Ships with a gross tonnage of or above 150, but below 500, shall be equipped with one fixed ice searchlight, which shall in so far as possible be located in the forepart of the ship.

Subsection 2. Ships with a gross tonnage of or above 500 shall be equipped with two fixed ice searchlights located in the forepart of the ship.

Functional requirements

Section 4. Ice searchlights shall be located and mounted so that the wheelhouse visibility is not obstructed.

Subsection 2. Ice searchlights shall be capable of giving out light in the forward direction in a small sector with such an effect that an object will reflect the light at a distance corresponding to the longest of the following:

- 1) For the ships mentioned in section 3(1), either minimum 500 m or minimum twice the stop distance at full speed.
- 2) For the ships mentioned in section 3(2), either minimum 1000 m or minimum twice the stop distance at full speed.

Subsection 3. In order to be able to function in all conditions, ice searchlights shall be fitted with:

- 1) operation from the wheelhouse;
- 2) a functionality for focusing the cone of light, operated from the wheelhouse;
- 3) means for securing the starter function at low temperatures; and
- 4) an anti-condensation function of the searchlight housing.

Use

Section 5. Ice searchlights shall be used during navigation in darkness for early ice detection. If the master finds that precipitation or other conditions would mean that the light from the ice searchlight would impair bridge visibility, the master may decide to turn of the searchlight. In such case, special caution shall be observed during navigation.

Subsection 2. Ice searchlights shall be turned of while in port unless otherwise stipulated by the port regulations.

Penalty clauses

Section 6. Contraventions of sections 3-5 shall be punishable by fine or imprisonment for a period not exceeding 1 year.

Subsection 2. The penalty may be increased to imprisonment for a period not exceeding 2 years if

- 1) the contravention has caused damage to life or health or risk of such damage;
- 2) an injunction or order has previously been issued in connection with the same or equivalent situations; or
- 3) the contravention has produced or has been intended to produce financial benefits to the contravener or others.

Subsection 3. Companies etc. (legal personalities) may be liable to punishment according to the provisions of chapter 5 of the Penal Code.

Section 7. If the circumstance is covered by the Decree on the entry into force for Greenland of the Act on Safety at Sea, measures may be laid down in accordance with the Criminal Code for Greenland.

Subsection 2. The circumstances referred to in section 4(2) shall be regarded as aggravating circumstances.

Subsection 3. If the contravention has been committed by companies etc. (legal entities), liability to pay a fine may be incurred by the legal entity as such. If the contravention has been committed by the State, the Greenland Home Rule, a municipality, a municipal cooperative covered under section 64 of the Landsting Act on municipal councils and local

authorities etc. or a local authority, liability to pay a fine may be incurred by the relevant public authority as such.

Subsection 4. If the relevant party is not resident in Greenland or his connection to Greenland society is otherwise so remote that the prerequisites for measures to be taken do not exist, legal proceedings may be instigated or the case may be referred for trial in Denmark.

Entry into force

Section 8. This technical regulation shall enter into force on 15 June 2009.

Danish Maritime Authority
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