

**Order amending the order on qualification requirements  
for seafarers and fishermen and on certificates  
of competency and certificates of proficiency**

**Section 1**

In order no. 1145 of 29 September 2015 on qualification requirements for seafarers and fishermen and on certificates of competency and certificates of proficiency, the following amendments shall be made:

1. The *introduction* of the order shall be as follows:

"The following is laid down by authority and pursuant to section 18, section 19(1), section 20, section 25b(1) and (2) and section 27(3) of the act on the manning of ships (*lov om skibes besætning*), cf. consolidated act no. 74 of 17 January 2014, as well as section 64b(2) of the act on seafarers' conditions of employment, etc. (*lov om søfarendes ansættelsesforhold m.v.*), cf. consolidated act no. 73 of 17 January 2014:"

2. *Part 3 on recreational craft* shall be repealed.

Subsequently, sections 55-66 shall become sections 51-61.

3. *Section 54* shall be as follows:

*"Seagoing service for acquiring certificates of competency*

**Section 54.** When this order requires seagoing service to be completed in a position for which a specific certificate is prescribed, seagoing service completed in a corresponding position on foreign or Danish ships may be included, notwithstanding the name of the prescribed certificate.

*Subsection 2.* Where education and training are required during the seagoing service, the on-board education and training shall be documented in an approved training record book. The following shall, however, be excepted unless otherwise stipulated:

- 1) Seagoing service completed before 31 December 2012 for acquiring a certificate of competency as a mate, 4<sup>th</sup> class.
- 2) Seagoing service for renewing certificates of competency unless required pursuant to section 63(5).
- 3) Seagoing service for acquiring higher competency rights.
- 4) Persons who have completed a total of 36 months' seagoing service, except for engineer officers.

*Subsection 3.* When applying for a certificate of competency or a certificate of proficiency, the reporting of the seagoing service required shall be made by the seafarer himself/herself in accordance with more detailed instructions by the Danish Maritime Authority by means of a digital reporting system.

*Subsection 4.* Upon request, seafarers shall – by means of the Danish Maritime Authority's digital system – document reported seagoing service through a declaration signed by the master or the shipowner, through a copy of the discharge book or through similar documentation.

*Subsection 5.* Upon request by the seafarer, the shipowner shall – by means of the Danish Maritime Authority's digital system – verify the seafarer's seagoing service. This shall be done digitally in accordance with more detailed instructions by the Danish Maritime Authority.

*Subsection 6.* Reporting of seagoing service shall be kept by the shipowner for a period of minimum 10 years."

4. *Section 60* shall be as follows:

"**Section 60.** Shipowners or masters violating the provisions of section 53 shall be liable to punishment by fine.

*Subsection 2.* Violations of section 54 shall be liable to punishment by fine.

*Subsection 3.* Companies etc. (legal personalities) may be liable to punishment according to the provisions of part 5 of the penal code (*straffeloven*).

*Subsection 4.* When imposing liability pursuant to subsection 3, persons who have been hired to carry out work on board the ship by others than the shipowner shall also be considered to be affiliated with the shipowner. If a document of compliance has been issued pursuant to the International Safety Management Code or a certificate has been issued pursuant to the Maritime Labour Convention to another organisation or person, the master and the seafarers shall also be considered to be affiliated with the one to whom the document has been issued."

## Section 2

This order shall enter into force on 1 January 2017.

*Danish Maritime Authority, 14 December 2016*  
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