

Order on tests and certificates for yachtsmen

The following is laid down pursuant to section 10a of the act on the manning of ships (*lov om skibes besætning*), cf. consolidated act no. 74 of 17 January 2014:

Part 1

Certificates for yachtsmen

Section 1. This order covers the requirements for the following certificates:

- 1) Powerboat certificate, cf. the order on masters of powerboats;
- 2) Certificate of proficiency in yachting;
- 3) Certificate of proficiency in yachting (motor operation);
- 4) Certificate as a yacht master, 3rd class;
- 5) Certificate as a yacht master, 1st class;
- 6) SRC certificate entitling the holder to operate maritime VHF radio systems.
- 7) Personal watercraft certificate, cf. the order on operators of personal watercraft.

Subsection 2. The test requirements for acquiring each of the certificates mentioned in the order are stipulated in sections 2-7.

Section 2. Powerboat certificates shall entitle the holders to operate pleasure craft covered by the order on masters of powerboats.

Subsection 2. In order to acquire a powerboat certificate, the person concerned shall have passed a theoretical and practical test.

Subsection 3. The test shall ascertain that the examinee is capable of functioning in an appropriate manner in terms of safety on board pleasure craft covered by the powerboat master order and ensuring the safety of his own vessel and those on board, and it shall also cover the regulations for preventing collisions at sea, aids to navigation, safety at sea, fire prevention and fire fighting on board small vessels, navigational provisions and protection of the marine environment.

Subsection 4. The examinee shall demonstrate satisfactory knowledge about:

- 1) The distribution of responsibility on board.
- 2) The duty to keep clear.
- 3) Local navigational provisions.
- 4) On-board behaviour and safety, including precautions to be taken in case of fire, grounding and collision.

Subsection 5. The examinee shall, through operation of his own vessel, demonstrate a satisfactory level of competence within the following areas:

- 1) Preparing the vessel for the voyage.
- 2) Departing from and arriving at the berth.
- 3) Operation at various speeds and courses, including acceleration and quick-stop.
- 4) Rescue manoeuvre.
- 5) Continuous evaluation of the risks associated with the voyage.

Subsection 6. Persons holding a certificate for operation of a personal watercraft shall only demonstrate the competences stipulated in subsection 5 of this provision in order to acquire a powerboat certificate.

Section 3. A certificate of proficiency in yachting shall entitle the holder to function as a mate on board pleasure craft with a hull length of or above 15 metres, but below 24 metres, engaged in trade in the North Sea and the English Channel as well as in trade on the British Isles, Ireland, Norway and the Faroe Islands.

Subsection 2. In order to acquire a certificate of proficiency in yachting, the person concerned shall be required to:

- 1) have passed the test for a certificate of proficiency in yachting;
- 2) have legal capacity and not be under guardianship pursuant to section 5 of the legal guardianship act (*værgemålsloven*) or under guardianship pursuant to sections 7 and 12 of the same act; and
- 3) have passed a sight and hearing test for yachtsmen determined by the Danish Maritime Authority within the last 3 years prior to the issue of a certificate of competency.

Subsection 3. The test, cf. subsection 2(i), shall ascertain that the examinee is capable of functioning appropriately in terms of safety as a mate on board recreational craft covered by subsection 1 and ensuring the safety of his own vessel and those on board in consideration of the surroundings.

Subsection 4. The test shall cover the regulations for preventing collisions at sea, terrestrial navigation, safety at sea, fire prevention and fire fighting on board small vessels as well as protection of the marine environment.

Subsection 5. The examinee shall demonstrate satisfactory knowledge about:

- 1) Appropriate manning of the vessel.
- 2) The acquisition of relevant information about the waters concerned.
- 3) Knowledge of the vessel and its preparation, including the use of the safety equipment.
- 4) The manoeuvring characteristics of small pleasure craft.
- 5) Various types of means of propulsion.
- 6) Safety at sea, including the use of the safety equipment, searching, alarming and treatment of frostbite.

Subsection 6. Furthermore, the examinee shall demonstrate a satisfactory level of competence within the following areas, which – together with the knowledge acquired – enables the examinee to perform the responsibility as the mate of the vessel:

- 1) Preparing the vessel for the voyage.
- 2) Use and correction of voyage planning.
- 3) Steering and manoeuvring.
- 4) Position-indicating by means of various methods, including terrestrial navigation, reckoning as well as GPS.
- 5) Use of the regulations for preventing collisions at sea.

Section 4. A certificate of proficiency in yachting (motor operation) shall entitle the holder to operate the engine in pleasure craft with a hull length of or above 15 metres with propulsion machinery of or above 100 kW, but below 750 kW, in which it is possible to adjust the engine and make propeller manoeuvres from the conning position.

Subsection 2. In order to acquire a certificate of proficiency in yachting (motor operation), the holder shall be required to have passed

- 1) the test for a certificate of proficiency in yachting; and
- 2) the test for a certificate of proficiency in yachting (motor operation).

Subsection 3. The test, cf. subsection 2(ii), shall ascertain that the examinee is capable of performing the operation of minor ship machinery in pleasure craft in an appropriate manner in terms of safety.

Subsection 4. The test shall cover the main parts of the diesel engine, the functioning of the engine, electrical installations on board ships, the performance of frequent engine inspections, fire prevention and the operation of means for fire-extinguishing and bilge systems, protection of the marine environment, starting the engine, operating it and stopping it.

Section 5. A certificate as a yacht master, 3rd class, shall entitle the holder to operate pleasure craft with a hull length of or above 15 metres, but below 24 metres, in the Baltic Sea and the North Sea, around the British Isles, Ireland, Norway, the Faroe Islands and along the coasts of Greenland as well as to function as a mate on board pleasure craft of up to 24 metres on all seas.

Subsection 2. In order to acquire a certificate of competency as a yacht master, 3rd class, the person concerned shall:

- 1) have passed the test for a yacht master, 3rd class;
- 2) have legal capacity and not be under guardianship pursuant to section 5 of the legal guardianship act (*værgemålsloven*) or under guardianship pursuant to section 7 of the same act;
- 3) have passed a sight and hearing test for yachtsmen determined by the Danish Maritime Authority within the last 3 years prior to the issue of a certificate of competency; and
- 4) meet the conditions for acquiring a certificate of proficiency in yachting.

Subsection 3. The test, cf. subsection 2(i), shall ascertain that the examinee is capable of functioning in an appropriate manner in terms of safety as the master of large pleasure craft in Northern European waters.

Subsection 4. The test shall cover the regulations for preventing collisions at sea and watchkeeping, navigation, seamanship, meteorology, maritime law, safety at sea, risk assessments, fire prevention and fire fighting as well as protection of the marine environment.

Subsection 5. The examinee shall demonstrate satisfactory knowledge about:

- 1) Watchkeeping duty on board.
- 2) Common navigation equipment and its limitations.
- 3) Aids to navigation.
- 4) Factors of importance to the vessel's safety.
- 5) The master's obligations and responsibilities.
- 6) Distress communication and rescue at sea.

Subsection 6. Furthermore, the examinee shall demonstrate a satisfactory level of competence within the following areas, which – together with the acquired knowledge – shall enable the examinee to perform the responsibility as the skipper of the vessel:

- 1) Development and control of voyage planning.
- 2) Determining and assessing the ship's position.
- 3) Collection and use of marine forecasts.
- 4) Use of the regulations for preventing collisions at sea and watchkeeping duty.
- 5) Attending to the safety of the vessel and those on board.

Section 6. A certificate as a yacht master, 1st class, shall entitle the holder to operate pleasure craft of up to 24 metres engaged in trade on all seas.

Subsection 2. In order to acquire a certificate of competency as a yacht master, 1st class, the person concerned shall:

- 1) have passed the test for a yacht master, 1st class;
- 2) hold a valid certificate of competency as a yacht master, 3rd class;
- 3) have completed 6 months' seagoing service under conditions where a certificate as a yacht master, 3rd class, is prescribed;

- 4) have legal capacity and not be under guardianship pursuant to section 5 of the legal guardianship act (*værgemålsloven*) or under guardianship pursuant to section 7 of the same act; and
- 5) have passed a sight and hearing test for yachtsmen determined by the Danish Maritime Authority within the last 3 years prior to the issue of a certificate of competency.

Subsection 3. The test, cf. subsection 2(i), shall ascertain that the examinee is capable of functioning in an appropriate manner in terms of safety as the master of large pleasure craft engaged in trade on all seas.

Subsection 4. The test shall cover international navigation, seamanship and communication, meteorology and medical care.

Subsection 5. The examinee shall demonstrate satisfactory knowledge about:

- 1) Ocean sailing, including navigation planning, navigational observations, stability conditions as well as meteorology and voyage planning.
- 2) Use of a ship's log and calls at foreign ports.
- 3) Safety communication in international shipping.
- 4) First aid, diagnosing and medical assistance.
- 5) The use and updating of nautical instruments and electronic aids.

Section 7. A personal watercraft certificate shall entitle the holder to operate pleasure craft covered by the order on masters of powerboats.

Subsection 2. In order to acquire a personal watercraft certificate, the person concerned shall have passed a theoretical and practical test.

Subsection 3. The test shall ascertain that the examinee is capable of functioning in an appropriate manner in terms of safety in pleasure craft covered by the order on operators of personal watercraft and ensuring the safety of his own vessel in consideration of the surroundings and shall cover the regulations for preventing collisions at sea, aids to navigation, safety at sea, prevention of fire and fire-fighting in small vessels, navigational provisions and protection of the marine environment.

Subsection 4. The examinee shall demonstrate satisfactory knowledge about the following subjects:

- 1) The distribution of responsibility on board.
- 2) The duty to keep clear.
- 3) Local navigational provisions.
- 4) Behaviour and safety on and around the vessel, including precautions to be taken in case of fire, grounding and collision.

Subsection 5. The examinee shall, through operation of his own vessel, demonstrate a satisfactory level of competence within the following areas:

- 1) Preparing the vessel for the voyage.
- 2) Departing from and arriving at the berth.
- 3) The use of safety equipment.
- 4) The use of navigational provisions.
- 5) Precautions to be taken in case somebody falls over board, including the rescue of one self and others.
- 6) Operation at various speeds, including steering and manoeuvring during acceleration and at high and low speed.
- 7) Evasive manoeuvres and emergency stops.
- 8) Safe behaviour and continuous risk assessment during the voyage.

Subsection 6. Persons holding the certificates mentioned in section 1(1)(i), (ii), (iv) and (v) shall only demonstrate the competences stipulated in subsection 5 of this provision in order to acquire a personal watercraft certificate.

Section 8. Persons who have, as a minimum, passed the test for a certificate of proficiency in yachting and acquired a certificate to this effect shall be considered to meet the requirement for acquiring a powerboat certificate, cf. section 2(2).

Subsection 2. Persons who have, as a minimum, passed the theoretical part of the test for a certificate of proficiency and the powerboat test shall be considered to meet the requirement for a certificate of proficiency in yachting, cf. section 3(2)(i).

Part 2

The holding of tests

Section 9. Tests shall be held by approved providers whom the Danish Maritime Authority has authorised to hold the tests.

Subsection 2. An external examiner appointed by the approved provider shall be present at all tests.

Section 10. Passed tests shall be reported to the Danish Maritime Authority by means of its system for digital reporting of exam and course results no later than 14 days after the holding of the test.

Section 11. The approved provider shall ensure:

- 1) that the test is held and evaluated in accordance with the provisions of this order;
- 2) that there are detailed test requirements for each test with which the examinee shall be familiar before the holding of the test; and
- 3) that the tests are held in accordance with the approved criteria, cf. section 13(4).

Section 12. The providers who have been approved by the Danish Maritime Authority, cf. part 3 on the approval of providers for performing tests covered by this order, shall provide guidance about compliance with the requirements leading to the tests mentioned in sections 2-7.

Part 3

Approval and inspection of providers

Section 13. The Danish Maritime Authority shall approve providers of tests.

Subsection 2. In order to be approved as a provider to hold tests, the provider shall:

- 1) account for having a considerable interest in appointing external examiners and holding tests within a local area, an organisation or a subject area within yachting; and
- 2) account for having sufficient resources to perform the tasks covered by the approval, including the issue of certificates, attendance to a quality management system, appointment of external examiners, as well as arrangement and planning of tests.

Subsection 3. An organisation shall have a quality system for attending to

- 1) The issue of certificates,
- 2) The authorisation of external examiners.
- 3) The reporting to the Danish Maritime Authority.

Subsection 4. The quality system shall contain

- 1) Guidelines for the holding of tests and the issue of test certificates.
- 2) Detailed test requirements for the individual certificates.

- 3) Guidelines for other activities impacting compliance with the provisions of this order and in accordance with sections 1, 2, 3, 5 and 7 of annex 1 to the order on the approval and quality assurance, etc. of maritime training programmes.¹

Subsection 5. Maritime training institutions approved in accordance with the order on the approval and quality assurance, etc. of maritime training programmes whose quality system meets the provisions of subsections 2 and 3 shall be considered approved providers.

Section 14. A provider who requests approval pursuant to section 13 shall forward an application to the Danish Maritime Authority.

Section 15. The Danish Maritime Authority shall take a decision on approval on the basis of

- 1) the documentation forwarded, cf. section 13; and
- 2) inspections of the provider's quality system.

Section 16. In order to uphold the approval, the provider shall be subject to inspections by the Danish Maritime Authority with a view to proving that the conditions of the approval are still met.

Section 17. The Danish Maritime Authority may withdraw an approval of a provider if the conditions for the approval are no longer met.

Section 18. The provider shall authorise external examiners and shall by authority ensure that the one authorised is competent.

Subsection 2. The provider shall approve external examiners irrespective of their affiliation.

Subsection 3. The provider shall register and administer approved external examiners.

Section 19. External examiners shall be chosen by the approved provider and in accordance with the guidelines of the approved provider.

Subsection 2. The provider shall determine how the external examiners are chosen in consideration of the following:

- 1) external examiners shall, insofar as possible, be chosen according to a principle of randomness; and
- 2) the same external examiner shall not be used for all tests held at a specific test provider.

Subsection 3. External examiners shall not have participated in the examinee's preparation for the test and general regulations on incapacity shall otherwise apply, cf. part 2 of the public administration act (*forvaltningsloven*).

Section 20. External examiners shall issue documentation of passed tests and report tests to the approved provider in accordance with the provider's more detailed instructions.

Section 21. The provider shall ensure that all relevant information about tests, prices, etc. is available to the general public.

¹ Order no. 1373 of 16 December 2009 on the approval and quality assurance, etc. of maritime training programmes.

Part 4
Test fees

Section 22. External examiners may, prior to the test, request payment for holding the test in accordance with sections 2-7.

Part 5
Issue of certificates

Section 23. Approved providers shall issue certificates for passed tests pursuant to this order on the basis of the reports made by external examiners, as stipulated in annex 1.

Subsection 2. The certificate shall state that it has been issued by authority of the Danish Maritime Authority.

Subsection 3. A certificate for having passed a test pursuant to section 7 may be issued as an endorsement on the certificate acquired pursuant to section 1(2)(i), (ii), (iv) and (v), cf. section 7(6).

Subsection 4. Applications for certificates of competency for certificates of proficiency in yachting, as yacht masters, 3rd class, and yacht masters, 1st class, shall be made by contacting the Danish Maritime Authority.

Subsection 5. Approved providers may request payment for issuing certificates pursuant to subsection 1.

Subsection 6. Approved providers shall make the prices of certificates available to the general public.

Subsection 7. In connection with applications to the Danish Maritime Authority to be issued with certificates of competency or certificates of having passed a test or to get a copy of a certificate, a fee shall be requested, cf. the Danish Maritime Authority's rates of fees.

Part 6
Right of appeal

Section 24. Appeals against tests held pursuant to this order shall be considered by the approved providers, cf. section 19.

Subsection 2. The appeal shall be submitted to the external examiner who has held the test. The external examiner shall forward the appeal to the relevant provider accompanied by a statement. The external examiner shall give the plaintiff the opportunity to comment on the statement within a period of at least one week. Any comments from the plaintiff shall also be forwarded to the provider.

Subsection 3. The deadline for filing complaints shall be two weeks from the date on which the examinee was informed about the test result.

Subsection 4. It shall not be possible to bring decisions made by the provider before any higher administrative authority.

Part 7
Entry into force and interim provisions

Section 25. This order shall enter into force on 1 January 2018.

Subsection 2. Order no. 1641 of 12 December 2016 on tests and certificates for yachtsmen shall be repealed.

Section 26. From 2018, it shall be possible to apply for approval as a provider, cf. section 13, in connection with the issue of the certificates described in section 1(i)-(vii).

Subsection 2. External examiners authorised by the Danish Maritime Authority, cf. order no. 184 of 26 March 1999 on tests for certificates of proficiency, etc., shall from 1 January 2018 apply for authorisation by an approved provider pursuant to this order in order to hold tests.

Subsection 3. The Danish Maritime Authority may order external examiners authorised by the Danish Maritime Authority to follow guidelines for tests drawn up by an approved provider.

Section 27. This order shall not apply to the Faroe Islands and to Greenland.

Danish Maritime Authority, 18 December 2017

Per Sønderstrup / Rasmus Høy Thomsen

Requirements for the design of certificates

| Front page of certificate

<logo>	<photo>
Certificate for <name of test>, cf. section 1	
<name>	<CPR number>
<unique serial number>	<date of issue>
< This certificate has been issued by authority of the Danish Maritime Authority >	

Back page of certificate for powerboat test:

Certificate of proficiency in yachting
(power boats)

In accordance with section <§> of the Danish
executive order no. xx of <date>

Holder of this certificate is entitled to navigate power boats,
i.e. pleasure craft of less than 15 metres with unlimited engine power,
in Danish and international waters.

Back page of certificate for personal watercraft test:

Certificate of proficiency in yachting
(personal watercraft)

In accordance with section <§> of the Danish
executive order no. xx of <date>

Holder of this certificate is entitled to navigate power boats,
i.e. pleasure craft of less than 4 metres with unlimited engine power,
in Danish and international waters.

Back page of certificate of proficiency in yachting:

Certificate of proficiency in yachting

In accordance with section <§> of the Danish
executive order no. xx of <date>

Holder of this certificate is entitled to navigate pleasure craft,
including power boats, of less than 15 metres and with an
engine power without limitation in Danish and international waters.

Back page of certificate of proficiency in yachting (motor operation):

Certificate of proficiency in yachting
(motor operation)

In accordance with section <§> of the Danish
executive order no. xx of <date>

Holder of this certificate is entitled to navigate pleasure craft,
including power boats, of less than 15 metres and with unlimited
engine power and maintain propulsion machinery
of less than 750 kW in Danish and international waters.