

## **Order on the entry into force for Greenland of the order on diving equipment<sup>1</sup>**

In pursuance of section 14(2), section 15, section 16(2), section 19, section 24(4) and section 25(6) of the act on diving operations and diving equipment, etc., cf. consolidated act no. 18 of 7 January 2000, and section 2(3) of decree no. 728 of 19 August 2003 on the entry into force for Greenland of the act on diving operations and diving equipment, etc., the following provisions are laid down:

**Section 1.** Order no. 823 of 5 November 1999 on diving equipment, as amended by order no. 71 of 8 February 2002, shall enter into force for Greenland on 15 September 2003 with the following amendments:

**1.** The headline "*Penalty provisions*" shall be amended to: "*Measures, etc.*".

**2.** *Section 29* shall be as follows:

**"Section 29.** For contraventions of sections 5-14, sections 16-24, section 25(2), section 25(4)-(5) or section 26, measures may be ordered in accordance with the criminal code. The same shall apply to anyone using the diving equipment mentioned in section 15 in a composition not determined by the Danish Maritime Authority or in contravention of the composition determined by the Danish Maritime Authority.

*Subsection 2.* If a contravention has been committed by companies, etc. (legal personalities), the legal person as such may be liable to punishment by fine. If the contravention was committed by the State, the Government of Greenland, a municipality, a municipal enterprise covered by section 64 of the act on the Landsting (Greenland Parliament), the relevant public authority as such may be liable to punishment by fine.

*Subsection 3.* If a criminal case is heard outside Greenland, or if it concerns a person or company, cf. subsection 2, domiciled or established outside Greenland, the contravener may be liable to punishment by fine or imprisonment instead of measures.

**3.** *Section 30(1)* shall be as follows:

"This order shall enter into force on 15 September 2003."

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<sup>1</sup> This order had been notified in draft in accordance with directive 98/34/EC of the European Parliament and of the Council (information procedure directive), as amended by directive 98/48/EC.