

Translation: Only the Danish document has legal validity.

*Order no. 28 of 10 January 2019
issued by the Danish Maritime Authority*

Order on ship's log books

In pursuance of section 3(1), paragraph (3), and section 32(9), first sentence, of the Danish Act on Safety at Sea (*lov om sikkerhed til søs*), see Consolidated Act no. 1629 of 17 December 2018, section 3(1), paragraph (3), and section 32(2) of the Decree on the entry into force for Greenland of the Act on Safety at Sea, see Consolidated Decree no. 1674 of 16 December 2015 and section 471(1) and (5), second sentence, of the Merchant Shipping Act (*søloven*), see Consolidated Act no. 1505 of 17 December 2018, and section 471(1) and (5), second sentence, of the Merchant Shipping Act, as enacted for Greenland by Decree no. 8 of 15 January 1996, the following provisions are laid down as authorised under section 1(1), paragraphs (3) and (10) of Order no. 744 of 24 June 2013 on the transfer of certain powers to the Danish Maritime Authority and on the right of appeal, etc.:

Use of ship's log books

Section 1. Ship's log books must be kept by the following ships:

- 1) Ships of 150 gross tonnage or more engaged on international voyages.
- 2) Any ship, irrespective of size, whose trade area according to the trading permit includes navigation outside the following areas: the North Sea east of longitude 3° E and south of latitude 62° N, trade in the Baltic Sea as well as trade along the coasts of Greenland at a distance not exceeding 30 nautical miles from the coast (the baseline).
- 3) Ships of 300 gross tonnage or more engaged on domestic voyages between Danish ports.
- 4) All passenger ships, irrespective of size, engaged on domestic voyages between Danish ports of more than four hours' duration.

Subsection 2. Notwithstanding the provisions of subsection (1), a ship's log book is not required for:

- 1) Ships of less than 300 gross tonnage whose trade area is limited to navigation between ports in Greenland.
- 2) Fishing vessels whose trade area according to the trading permit comprises navigation south of latitude 62° N, north of latitude 48° N and east of longitude 12° W, trade in the Baltic Sea and navigation along the coasts of Greenland at a distance not exceeding 200 nautical miles from the coast (the baseline).

Keeping and storage of ship's log books

Section 2. The ship's log book must be kept by the master or, under the supervision of and with joint responsibility of the master, a ship's mate.

Subsection 2. Any person who keeps a ship's log book is responsible for the correctness of the information entered by him or her.

Subsection 3. The master shall check that the ship's log book is kept accurately and as required.

Section 3. The ship's log book must be kept according to the following timetable:

- 1) In port for each day.
- 2) At sea for each watch.

Subsection 2. Incidents taking place on the individual watch may be recorded temporarily in a draft, but must be entered in the ship's log book as soon as possible after the end of the watch.

Section 4. Ships' log books must be kept properly and clearly. Once an entry has been made, it

must not be erased, crossed out or otherwise made illegible. If it becomes necessary to make a correction, such correction must be added as a note.

Subsection 2. Ship's log books must be kept in Danish or English.

Subsection 3. In Greenlandic fishing vessels with a length of less than 24 metres, the master's entries may be made in Greenlandic, provided that the entries are translated into Danish in connection with surveys.

Section 5. Any incident and circumstance occurring during the voyage about which knowledge may be important to shipowners, cargo owners, insurers or others having an interest in the voyage must be recorded as accurately as possible in the ship's log book. Information about any accident that may happen to the ship or cargo must be entered accurately and accompanied by an account of the reason, the specific circumstances and the measures taken. The same applies to any accident of significance affecting persons on board.

Section 6. Ship's log books may be kept in electronic form, and entries in ship's log books may be replaced in full or part by records made by electronic means.

Subsection 2. Mechanical and electronic records must be of such a nature that they cannot be changed later. Electronic entries must require the use of a personal code.

Subsection 3. Electronically stored records must be secured by a daily back-up copy.

Section 7. When a ship's log book is full or can otherwise no longer be used, the master is responsible for providing a new log book.

Subsection 2. Any log book and electronic records must be stored as set out in Part 18 of the Merchant Shipping Act.

Subsection 3. Draft records, however, need only be stored until they have been entered in the ship's log book.

Penalty provisions and entry into force, etc.

Section 8. If the master or a ship's mate neglects to fulfil his obligations under section 1, section 2(2) or (3), sections 3-5 or section 7, he or she will be liable to a fine.

Subsection 2. Criminal liability may be imposed on companies, etc. (legal persons) under the rules of Part 5 of the Danish Criminal Code (*straffeloven*).

Section 9. If the matter is covered by the Decree on the entry into force for Greenland of the Merchant Shipping Act, sanctions may be imposed in accordance with the Penal Code (*kriminalloven*) for Greenland instead of the penalty under section 8(1).

Subsection 2. If the relevant person is not resident in Greenland, or if such person's ties with Greenland society are otherwise so remote that the prerequisites for the imposition of sanctions do not exist, legal proceedings may be instigated or the case may be referred for trial in Denmark, see section 7 of the Penal Code for Greenland.

Section 10. This Order enters into force on 1 July 2019.

Subsection 2. Order no. 978 of 20 July 2007 on ship's log books and radio log books is repealed.

Danish Maritime Authority, 10 January 2019

Per Sønderstrup

/ Martin John