

**Translation. Only the Danish version has legal validity.**

*Order no. 1012 of 25 October 2012 issued by the Danish Maritime Authority*

## **Order on passenger vessels exclusively engaged on voyages in port areas or on lakes, etc.<sup>1</sup>**

In pursuance of sections 3-5, section 17(5) and section 32(8) of the act on safety at sea (*lov om sikkerhed til søs*), cf. consolidated act no. 654 of 15 June 2010, as amended by act no. 251 of 30 March 2011, act no. 457 of 18 May 2011 and decree no. 607 of 25 June 2001 on the entry into force of the act on safety at sea for Greenland, following consultation with the Government of Greenland, and by authority, the following provisions are laid down:

**Section 1.** This order shall apply to all passenger vessels with a length below 24 m exclusive engaged on voyages in port areas or on lakes, etc. unless otherwise stipulated in each individual regulation in the annex to this order.

*Subsection 2.* This order shall not apply to:

- 1) vessels that are not mechanically propelled;
- 2) wooden vessels of primitive design;
- 3) original and copied historic vessels constructed before 1965 and primarily made by the original materials; and
- 4) recreational craft unless they are or will be manned and carry more than 12 passengers for commercial purposes.

*Subsection 3.* Passenger vessels covered by this regulation shall meet the more detailed provisions on construction and design, etc. annexed to this order.

**Section 2.** For the purposes of this order, the following definitions shall apply:

- 1) "Breadth" shall mean the greatest breadth of the vessel as stated in the vessel's tonnage certificate.
- 2) "Existing vessel" shall mean a vessel that is not a new vessel.
- 3) "Freeboard" shall mean the vertical distance measured amidships on the plating from the deepest operating waterline to the upper edge of the freeboard deck in the side. On open vessels, the freeboard shall be measured to the point where water ingress may occur
- 4) "Freeboard deck" shall normally mean the uppermost complete deck exposed to weather and sea, which has permanent means of closing all openings in the weather part thereof, and below which all openings in the sides of the ship are fitted with permanent means of watertight closing, cf. the International Convention on Load Lines.
- 5) "Port area" shall mean an area other than a sea area extending to the outermost permanent harbour works forming an integral part of the harbour system, or to the limits defined by natural geographical features protecting a(n) river mouth/estuary or similar sheltered area. In Denmark and Greenland, port areas shall normally be limited by the harbour piers.

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

- 6) "Lake" shall mean a standing body of water occurring in a natural depression in the ground enclosed on all sides with no direct connection to the sea.
- 7) "Decked vessel" shall mean a vessel that is fully decked or spar-decked, i.e. above the waterline at the deepest operating waterline, it is provided with a complete, watertight deck with secure weathertight means of closing for all openings.
- 8) "Length" shall mean the length from the foreside of the stem to the axis of the rudder stock on the waterline; however, at least 96% of the total length on a waterline at 85% of the least moulded depth measured from the top of the keel measured from the top of the keel unless expressly provided otherwise. In vessels designed with a rake of keel, the waterline on which this is measured shall be parallel to the designed waterline.
- 9) "New vessel" shall mean a vessel the keel of which is laid or which is at a similar stage of construction on or after 1 August 2003. "Similar stage of construction" shall mean the stage at which: construction identifiable with a specific ship/vessel begins; and assembly of that ship/vessel has commenced comprising at least 50 tonnes or 3% of the estimated mass of all structural material, whichever is less.
- 10) "Passenger" shall mean every person other than the master and the members of the crew or other persons employed or engaged in any capacity on board a vessel and children below the age of one year.
- 11) "Passenger vessel" shall mean a vessel carrying more than 12 passengers.
- 12) "Watertight" shall mean capable of preventing the passage of water through the structure in either direction under a head of water for which the surrounding structure is designed.
- 13) "Weathertight" shall mean that water shall not, in any sea and weather conditions, be capable of penetrating into the vessel.
- 14) "Open vessel" shall mean a vessel that is not a decked vessel. An open vessel may be partly spar-decked, but if so the superstructure does not meet the requirements for weathertight means of closing. An open vessel shall not be provided with freeing ports.

**Section 3.** Contraventions of this order shall be liable to punishment 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.* It shall be considered especially aggravating circumstances if the violation has resulted in damage to the life or health or risk of such damage to young persons below the age of 18, cf. subsection 2(i).

*Subsection 4.* If the financial benefit achieved is not confiscated, special consideration shall be paid to the size of the achieved or intended financial benefit when determining fines, including supplementary fines.

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

**Section 4.** 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 3(2) and (3) shall be regarded as aggravating circumstances.

*Subsection 3.* If the financial benefit achieved is not confiscated, cf. section 116(1) of the criminal code (*kriminalloven*), special consideration shall be paid to the size of the achieved or intended financial benefit when determining fines, including supplementary fines.

*Subsection 4.* If the contravention has been committed by a company, etc. (legal personalities), the legal personality as such may be liable to punishment by fine. If the contravention has been committed by the State, the Government of Greenland, a municipality, a municipal cooperative covered under section 64 of the Landsting act on municipal councils and local authorities etc. (*landstingslov om kommunalbestyrelser og bygdebestyrelser m.v.*) or a local authority, the relevant public authority as such may be liable to punishment by fine.

*Subsection 5.* 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.

**Section 5.** This order shall enter into force on 1 December 2012.

*Subsection 2.* The structural requirements of the provisions in force until now shall continue to apply to existing vessels unless otherwise stipulated in this order.

*Subsection 3.* Technical regulation of 13 November 2000 on safe operation of passenger ships (the ISM Code) exclusively engaged on voyages in port areas, on lakes, etc. shall be repealed.

*Subsection 4.* Technical regulation of 10 March 2003 on passenger vessels exclusively engaged on voyages in port areas shall be repealed.

*Danish Maritime Authority, 25 October 2012*

Per Sønderstrup / Steen Møller Nielsen

### Regulation 1 – Surveys

1. A vessel covered by this regulation shall be subject to the surveys specified below:
  - .1 An initial survey before the vessel is put in service;
  - .2 A renewal survey once every 12 months;
  - .3 Additional surveys, as occasion arises.
2. The surveys referred to above shall be carried out as follows:
  - .1 The initial survey shall include a complete inspection of the vessel's structure, machinery and equipment, including the outside of the vessel's bottom. This survey shall be such as to ensure that the arrangements, materials and scantlings of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in lifesaving appliances, fire protection, fire safety systems and appliances, life-saving appliances and arrangements, shipborne navigational equipment, nautical publications, and other equipment fully comply with the requirements of the present regulations, and of the acts, decrees, orders and administrative regulations issued by the Administration for vessels of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the vessel and its equipment is in all respects satisfactory, and that the vessel is provided with the lights, shapes, means of making sound signals and distress signals as required by the provisions of the present regulations and the International Regulations for Preventing Collisions at Sea in force.
  - .2 The renewal survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, including the outside of the vessel's bottom. The survey shall be such as to ensure that the vessel, as regards the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in life-saving appliances, fire protection, fire safety systems and appliances, life-saving appliances and arrangements, shipborne navigational equipment, nautical publications and other equipment is in satisfactory condition and is fit for the service for which it is intended, and that it complies with the requirements of the present regulations and of the acts, decrees, orders and administrative regulations issued by the Administration. The lights, shapes, means of making sound signals and distress signals carried by the vessel shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present regulations and of the International Regulations for Preventing Collisions at Sea in force.
  - .3 An additional survey, either a renewal survey or partial survey, according to the circumstances, shall be made whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the vessel complies in all respects with the provisions of the present regulations and of the acts, decrees, orders and administrative regulations issued by the Administration.

### Regulation 2 – Certificates

1. A “Permit to carry passengers” shall be issued after an initial or renewal survey for a period not exceeding 12 months. The permit shall contain information about the vessel’s trading area, the maximum number of passengers permitted as well as the latest date of the next renewal survey. The validity of the permit shall expire on the latter date.
2. When a renewal survey is completed within three months before the expiry date, the new permit shall be valid to a date not exceeding 12 months from the date of expiry of the existing permit.
3. When a renewal survey is completed more than three months before the expiry date, the new permit shall be valid to a date not exceeding 12 months from the date of completion of the renewal survey.
4. When a renewal survey is completed after the date of expiry of the existing permit, for example if the ship has been laid up, the new permit shall be valid to a date not exceeding 12 months from the date of completion of the renewal survey.
5. The permit shall be issued in duplicate, and one of them shall be located in a place on board that is conspicuous to the passengers, while the other shall be kept together with the vessel’s survey book.
6. No vessel shall be engaged in service without the permit mentioned in subparagraph 1 or outside the trading area mentioned in the permit or with more passengers than mentioned therein.
7. The vessel shall not be used for voyages with passengers unless it has been ISM certified in accordance with the provisions of regulation 12.

### **Regulation 3 – Construction**

1. This regulation shall apply only to new vessels.
2. The hull shall be made of steel, aluminium, GRP or wood. Hull structures made of other materials shall require a special assessment and approval by the Danish Maritime Authority, if necessary, in each individual case.
3. The strength and design of hulls, superstructures, deckhouses, engine room casings and companionways as well as of marine equipment shall be sufficient to resist all foreseeable conditions during the planned use of the vessel.
4. Vessels shall be designed, constructed and maintained in accordance with the relevant provisions of Notice F from the Danish Maritime Authority or the regulations of a recognised organisation<sup>2</sup> as regards hull design, strength, scantlings, anchors, chains, moorings, machinery, boiler systems and electrical installations.
5. Where glassfibre reinforced polyester (GRP) is used, the polyester shall be of a type that is very fire-retardant.
6. Vessels intended for use in Greenland waters shall not be made of wood.
7. Vessels intended for voyages in ice in areas and periods when ice may normally be present shall be ice-reinforced in accordance with the requirements for ice-reinforcement stipulated in Notice F from the Danish Maritime Authority or, as a minimum, meet the lowest ice class of a recognised organisation.

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<sup>2</sup> Cf. the most recent regulation on the recognition of recognised organisations issued by the Danish Maritime Authority.

8. A forepeak bulkhead shall have been fitted, and the engine room shall be separated from other rooms by means of watertight bulkheads. In wooden vessels, a bulkhead watertightness that is as effective as possible shall be sought for.

#### **Regulation 4 – Stability and buoyancy**

1. Vessels shall be designed and constructed so that the provisions of regulation 4.2 are met in the conditions described in regulation 4.3. Calculations of the curves for the righting lever shall be made in accordance with recognised standards.
2. The following minimum stability criteria shall be met:
  1. The metacentric height GM shall not be less than 350 mm.
  2. When all passengers are placed as far to the one side as possible, the heel shall not be greater than 12°. At this heel, the freeboard shall not be less than 150 mm.
  3. Open vessels shall, when flooded, with the maximum permissible number of passengers on board be capable of floating without any considerable trim, without capsizing and with a freeboard of at least 50 mm. This buoyancy may possibly be achieved by building-in means of buoyancy with a volume in dm<sup>3</sup> corresponding to the vessel's lightweight in kg, increased by 25 dm<sup>3</sup> per person the vessel is intended to carry. Means of buoyancy shall be secured and shall be protected against physical impact. It shall be permitted to include the buoyancy volume of wooden or GRP hulls in the required buoyancy.
  4. New decked vessels shall, after having been damaged, be capable of meeting the requirements of regulation 4.2.3 after final flooding of any main compartment. The longitudinal extent of the damage shall be assumed as 3 m + 3 per cent of the vessel's length, its transverse extent shall be assumed as 1/5 of the vessel's breadth, and its vertical extent shall be assumed to extend from the baseline and upwards without any limitation.
3. The number and type of the conditions to be considered shall include at least the following:
  1. Lightship.
  2. Departure with persons and 100 per cent stores, bunker, etc.
  3. Arrival with persons and 10 per cent stores, bunker, etc.
4. All vessels shall, when completed, undergo an inclining test, and the actual displacement and position of the centre of gravity shall be determined for the lightship condition.
5. If alterations are made to a vessel that will affect its lightship condition and the position of the centre of gravity, the vessel shall undergo a new inclining test if the Danish Maritime Authority considers it necessary and the stability information shall be revised.
6. The Danish Maritime Authority may allow the inclining test of an individual vessel to be dispensed with provided stability data are available from the inclining test of a sister ship and it is shown to the satisfaction of the Danish Maritime Authority that reliable stability information for the exempted vessel can be obtained from such data.
7. The inclining test and the determination of the lightship condition shall be carried out at least every five years.
8. The Danish Maritime Authority may, when adequate offsets of the hull are not available, allow the inclining test of an individual vessel to be dispensed with provided that results from a so-called dynamometer test are available and it is shown to the satisfaction of the Danish Maritime Authority that reliable stability information for the exempted vessel can be obtained from these results and that the stability criteria are met under the worst actual operating conditions.

9. Suitable stability information shall be supplied in Danish to enable the master to assess with ease and certainty the stability of the vessel under various operating conditions. Such information shall include specific instructions to the master warning him of those operating conditions which could adversely affect either the stability or the trim of the vessel. The stability information shall be submitted to the Danish Maritime Authority for approval.
10. Approved stability information shall be kept on board, readily accessible at all times and inspected at the surveys of the vessel to ensure that it has been approved for the actual operating conditions.
11. Where alterations are made to a vessel affecting its stability, revised stability calculations shall be prepared and submitted to the Danish Maritime Authority for approval. If the Danish Maritime Authority decides that the stability information must be revised, the new information shall be supplied to the master and the superseded information removed.

### **Regulation 5 – Freeboard conditions and marking**

1. This regulation shall apply only to new vessels.
2. In general, the provisions of Notice F from the Danish Maritime Authority, chapter II, shall apply as regards freeboard-related conditions, including weathertightness, doors, hatches, coaming heights, engine room openings, ventilators, air pipes, portholes, windows, freeing ports, etc. However, the Danish Maritime Authority may accept that specific vessels are exempted from full compliance with the requirements for threshold and coaming heights, etc. in consideration of the specific trading area.
3. In places where persons normally have access, bulwarks or rails of a minimum height of 1000 mm shall be fitted. In areas to which passengers have access, the rails shall be made with vertical stanchions as stipulated in Notice D from the Danish Maritime Authority, chapter II-1 B, regulation 24. Rails in areas to which only the crew has access may be made with vertical stanchions, cf. the International Convention on Load Lines of 1966.
4. On fully-decked vessels, the minimum freeboard shall be determined on the basis of the vessel's ability to maintain a safety level that would, in principle, correspond to the criteria of the Load Line Convention, but without the requirement for a minimum bow height. Freeboards shall be assigned by the Danish Maritime Authority, in consideration of the vessel's hull strength, stability, buoyancy and trading area.
5. On decked vessels, the freeboard shall not be less than 300 mm. On open vessels, the freeboard shall not be less than 250 mm.
6. Freeboard marks shall be placed on the ship's sides amidships. Deck line and freeboard marks shall be placed as stipulated in the Load Line Convention, but without the letters D-L. On small vessels, the freeboard mark may be made with an external diameter of 200 mm.
7. The freeboard and the freeboard conditions have been approved by the Danish Maritime Authority when it has been ascertained at a satisfactory survey that these provisions are met. The freeboard assigned shall be entered in the survey book, part II, and shall furthermore be accompanied by the words "Permit to carry passengers" ("Tilladelse til sejlads med passagerer").
8. The stem and stern post shall be provided with draught marks in decimetres on both sides. Such marks shall be placed as close to the perpendiculars as possible.

9. The fixed number of passengers shall be marked on both sides of the bow under the vessel's official number. The height of the letters and numerals shall be at least 100 mm. All marks shall be in white against a dark background or in black against a light background.
10. The freeboard conditions shall be surveyed in connection with renewal surveys.

#### **Regulation 6 – Fire-protection, fire-detection and fire-extinction**

1. This regulation shall apply only to new vessels.
2. In general, the provisions of Notice F from the Danish Maritime Authority, chapter V, shall apply, except for regulation 4(2) and the provision that fire insulation class B-15 shall be replaced by fire insulation corresponding to A-30.
3. Linings, ceilings and covering as well as boundary bulkheads, if any, in the accommodation shall be made of a non-combustible material, and if the hull and superstructure is made of GRP, wood or aluminium, it shall be covered internally with the same material (non-combustible). All visible, exposed surfaces in corridors and stairway enclosures as well as surfaces of bulkheads and ceiling linings in accommodation spaces and in the wheelhouse shall have low flame-spread characteristics.<sup>3</sup>
4. A galley (a room with cooking/roasting arrangements with a total effect above 5 kW) shall not be permitted on board. If a pantry with cooking/roasting arrangements with a total effect of or below 5 kW is arranged, it shall not be necessary to enclose the arrangement, but surfaces facing the source of heat shall be covered in stainless steel or similar non-combustible material to a distance of at least 750 mm from the source of heat.
5. The width of corridors providing access to accommodation spaces shall have a free passage (corridor width) of at least 800 mm measured between the boundary bulkheads. Stairways shall in general have a width between the boundary bulkheads of 800 mm and at least 700 mm free width when the stairways form part of evacuation/escape routes. Stairways shall have a suitable rise and handrails at least on one side. Doors in escape routes shall not have a free width of less than 750 mm.
6. At least two exits shall be provided from all spaces where persons are usually accommodated. One of these exits may, depending on the circumstances, be made as an emergency exit with a free opening of minimum 600 x 600 mm with rounded corners.
7. If access to the emergency exit from the accommodation is provided through separate spaces (steering gear room, cabins or the like), it shall not be possible to lock doors to such spaces unless they are fitted with kick hatches which can be removed in the direction of escape. Ladders, steps and handholds shall be fitted as necessary to facilitate passage through the emergency exit.
8. Enclosed passenger spaces shall be protected by an open sprinkler system operable from the control station. The system shall be subdivided into sections.

#### **Regulation 7 – Machinery and electrical installations**

1. This regulation shall apply only to new vessels.
2. The provisions of Notice F from the Danish Maritime Authority, chapter IV, shall apply; however, manual bilge pumps may be replaced by mechanically operated ones.

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<sup>3</sup> To be determined in accordance with the IMO Fire Test Procedures Code.

### **Regulation 8 – Accommodation areas and spaces**

1. This regulation shall apply only to new vessels.
2. In open vessels, seats shall be provided for everyone on board.
3. In decked vessels, a shelter on deck or another sheltered accommodation space with seats for all passengers shall be provided.
4. The maximum number of persons in an enclosed space for passengers shall be such that at least 0.85 m<sup>2</sup> free deck area is available per person.
5. During the period from 1 May until 30 September, in addition to the number of passengers permitted in enclosed spaces, it may be permitted to carry passengers on open deck, whereby at least 0.55 m<sup>2</sup> floor area shall be calculated for each passenger. When calculating the passenger number, the space needed for the navigation etc. of the vessel shall be excluded, including space for the handling and embarkation of life-saving appliances, together with all the areas of the deck in which passengers cannot comfortably sit or stand. As a minimum, enclosed spaces shall always be provided for one-sixth of the total number of passengers.
6. Seats in both open and decked vessels shall have a breadth of at least 0.5 metres, 0.75 m legroom calculated from the back support and a free height above the seat of at least 0.9 metres measured from the upper side of the seat.
7. In decked vessels, one toilet with a wash basin shall be provided for every 50 passengers or part hereof. Furthermore, the provisions of Notice D from the Danish Maritime Authority, chapter XXV on the treatment and storage of sewage shall be met.
8. It shall be possible to effectively ventilate all enclosed spaces in which persons may be accommodated.
9. Accommodation spaces shall be ventilated such that sufficient inlet and outlet of air is provided when doors, portholes, skylights and the like are closed.
10. In vessels used during the period from 1 October to 30 April, an enclosed space shall be provided for the crew and it shall be possible to heat this space to a minimum of 20 C.

### **Regulation 9 – Navigation, etc.**

1. All vessels shall be fitted with an approved standard magnetic compass.
  1. When placing the magnetic compass, sufficient distance to magnetic material and objects such as loudspeakers and electronic equipment shall be ensured.
  2. In small wheelhouses, the compass may be placed on the roof, and in steel vessels, the magnetic compass shall be placed in the centre line of the vessel.
  3. The location and lighting of the compass shall ensure a good reading from the steering position and from the place from where the vessel is being navigated, both during the day and at night.
  4. The compass shall be properly adjusted, and its table or curve of residual deviations shall be available at all times.
  5. In vessels equipped with an automatic pilot activated by a magnetic sensor that does not show the steering course, an alternative indication of the steering course in the form of a repeater or the like shall, furthermore, be available. If the voyages of the vessel are planned so that they will at no point in time take place after nightfall or in poor visibility, this requirement shall not apply to open vessels.
2. Means for taking compass bearings shall be available, insofar as practicable over an arc of the horizon of 360°.

3. All vessels shall, insofar as possible, be equipped with an approved radar reflector.
4. Vessels that are primarily used at night, in fog, in bad weather or in ice-filled waters shall be equipped with an approved radar.
5. All vessels shall carry suitable nautical instruments, adequate and updated charts and relevant navigational handbooks.<sup>4</sup>
6. From the steering position or from the point where the vessel is being navigated, there shall be sufficient view ahead, astern and to the sides.
7. Instruments, control levers, control lights, etc. shall be located so as to achieve the best possible operating function and overview. Details shall be made in non-reflecting material on the control desk and within the field of vision.
8. The master of a vessel at sea which is in a position to be able to provide assistance, on receiving information from any source that persons are in distress at sea, is bound to proceed with all speed to their assistance, if possible informing them or the search and rescue service that the vessel is doing so.
9. The owner, the charterer or any other person shall not prevent the master of the vessel from taking any decision which, in the master's professional judgement, is necessary for safe navigation.
10. All vessels shall be provided with navigation lights, shapes and sound signal devices to such an extent that they are capable of complying with the requirements of the International Regulations for Preventing Collisions at Sea. The navigation lights and sound signal devices shall be of an approved type and meet the provisions of the International Regulations for Preventing Collisions at Sea.
11. The background noise at the listening post shall not exceed 68 dB in the octave band centred around 250 Hz and 63 dB in the octave band centred around 500 Hz.

#### **Regulation 10 – Life-saving appliances**

1. Two approved lifebuoys shall be provided on board. One of the lifebuoys shall be fitted with a buoyant 30 metre line. The other lifebuoy shall be fitted with a self-igniting light.
2. For every person on board, a lifejacket of an approved type shall be provided. In addition, unless these lifejackets can also be used by children, or special conditions apply, a number of lifejackets suitable for children equal to at least 10% of the greatest number of passengers permitted shall be provided. However, the number of lifejackets suitable for children shall never be lower than the actual number of children on board. In open vessels, the lifejackets shall be placed under the seats. The lifejackets shall be fitted with approved lights if the vessel is permitted to navigate during the hours between sunset and sunrise.
3. Fully covered passenger vessels shall be fitted with four red parachute flares and four red hand flares. Such vessels used around Greenland shall be fitted with six red parachute flares and six red hand flares. The distress flares shall be of an approved type.

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<sup>4</sup> The version of the "Fiskeriårbogen" (Fisheries Yearbook) applicable at any time may, to the extent necessary, replace one or more of the latter publications.

**Regulation 11 – Radio equipment, etc.**

1. Passenger vessels in port areas shall, as a minimum, be equipped with an approved maritime VHF-DSC radio system of class A, B or D. The radio system shall be installed in the wheelhouse and be operable from the place from where the vessel is normally navigated.
2. The radio system shall continuously and automatically be supplied with information about the vessel's position from a position receiver.
3. Reliable emergency lighting shall be provided at the radio system that is independent from the lighting system for the normal lighting of the radio system. The emergency lighting shall be fixed and such that it will in a satisfactory manner light the radio system.
4. At the radio system, the vessel's radio call sign and the 9-digit identification number (MMSI) shall be clearly posted.
5. The VHF antenna (antennas) shall be placed in as high a position as possible so as to provide unobstructed antenna radiation in all directions.
6. When the vessel is at sea, a continuous listening watch shall be kept on VHF DSC channel 70. Furthermore, a continuous listening watch shall be kept on VHF channel 16 to the extent practicable.
7. The source of energy shall consist of accumulator batteries and have sufficient capacity to operate the radio system continuously for a period of at least one hour.
8. It shall be possible to recharge the source of energy automatically from the vessel's electrical installation and a low-voltage alarm shall be provided.
9. In addition to the prescribed radio system, the source of energy shall be used only to operate the emergency lighting at the radio system and the position receiver mentioned in paragraph 3.
10. As regards vessels permitted to carry passengers in port areas in Greenland, the radio system carriage requirements shall be laid down in each individual case, which shall in general mean a traditional VHF radio system.

**Regulation 12 – Safe operation of passenger vessels (ISM Code)**

1. Both passenger vessels and shipowners operating such vessels shall be covered by this regulation.
2. For the purposes of this regulation, the following definitions shall apply:
  1. ISM Code: The International Management Code for the Safe Operation of Ships and for Pollution Prevention adopted by the International Maritime Organization (IMO), as amended.
  2. Safety Management System (SMS): A structured and documented system enabling the company's personnel to effectively implement the company's safety and environmental protection policy.
  3. Audit: A systematic and independent inspection of the safety management activities and the results hereof with a view to demonstrating that these measures have been carried out in an effective manner and are suitable for the purpose.
  4. Non-conformity: An observed situation where objective evidence indicates the non-fulfilment of a specific requirement.
  5. Major non-conformity: An identifiable deviation which poses a serious threat to personnel or ship safety or a serious risk to the environment and requires immediate corrective action; in addition, the lack of effective and systematic implementation of a requirement of the ISM Code will also be considered a major non-conformity.

6. Document of Compliance: A document issued to a company as an expression that the company's shore-based functions are carried out in compliance with the approved safety management system. In companies with no shore-based company functions as such, a Safety Management Certificate shall be issued only to the company's vessels.
  7. Safety Management Certificate: A certificate issued to a vessel which signifies that the vessel is operated in accordance with the approved safety management system.
  8. Shore-based company functions: Administrative functions directly related to the company's safety management system carried out from facilities ashore.
  9. Shipowner: The owner of the vessel or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the vessel from the owner of the vessel and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by this regulation.
3. The company shall establish and maintain a safety management system (SMS) in its shore-based organisation, if any, as well as on board each individual company vessel with a view to achieving safe operation, the required maintenance and to prevent pollution.
  4. The safety management system shall be in accordance with the ISM Code.
  5. Following a satisfactory audit of companies with shore-based company functions, the Danish Maritime Authority shall issue a document of compliance. The document shall be valid for five years at a time.
  6. Following a satisfactory audit of a passenger vessel, the Danish Maritime Authority shall issue a Safety Management Certificate. The certificate shall be valid for five years at a time.
  7. The shipowner shall be responsible that companies covered by paragraph 5 and that passenger vessels covered by paragraph 6 hold the above-mentioned valid certificates.
  8. The company shall carry out internal audits of the safety management system (SMS) at least once every 12th month. It shall be possible to present the Danish Maritime Authority with the necessary documentation hereof.
  9. At least once a year, the Danish Maritime Authority shall be requested to carry out annual audits of companies covered by paragraph 5. Annual audits shall, insofar as possible, take place at intervals of 12 months, calculated from the date of issue of the relevant Document of Compliance.
  10. The Danish Maritime Authority shall be requested to carry out at least one interim audit of passenger vessels during the five-year period mentioned in paragraph 6. This interim audit shall be carried out between 24 and 36 months after the date of issue of the relevant Safety Management Certificate.
  11. The Danish Maritime Authority may, when considered necessary, carry out extraordinary audits.
  12. For newly established companies, the Danish Maritime Authority may, in connection with major alterations of the use of a vessel, major modifications, purchase of vessels or the delivery of newly built vessels, on detailed conditions issue interim certificates pursuant to this regulation with a validity of up to six months.
  13. A certificate issued pursuant to this regulation may be withdrawn by the Danish Maritime Authority if major non-conformities with the safety management system are identified or if annual or intermediate audits are not requested.
  14. If a Document of Compliance is withdrawn pursuant to paragraph 13, the Safety Management Certificate of the company's vessels shall be withdrawn at the same time.

### **Regulation 13 – Measures to prevent pollution**

1. The vessel shall be fitted with a tank of suitable size for storing oil and oily water. It shall be possible to discharge the tank to reception facilities ashore by means of a pump and hose or by means of draining into cans.
2. Vessels shall be fitted with waste receptacles of non-combustible material for storing solid waste and victual wastes. In visible places, a durable sign at least 20 cm X 12.5 cm in size shall be put with the following text in black against a white background:

IT IS PROHIBITED TO THROW  
GARBAGE INTO THE SEA

DET ER FORBUDT AT KASTE  
AFFALD I VANDET

### **Regulation 14 – Equivalentents**

1. Where the present regulations require that a particular fitting, material, appliance or apparatus, or type thereof, shall be fitted or carried in a vessel, or that any particular provision shall be made, the Danish Maritime Authority may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made in that vessel, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by the present regulations.
2. The Danish Maritime Authority shall accept tests carried out by recognised test institutes, including test institutes in other EU member States as well as in countries covered by the EEA Agreement, and providing suitable and satisfactory guarantees of a technical, expert and independent nature.

### **Regulation 15 – Exemptions**

1. The Danish Maritime Authority may, if it considers that the application of one or more requirements of this order would be unreasonable or unnecessary, exempt individual vessels from meeting these requirements.