

Technical Regulation No. 9 of 4 December 1997 concerning registration of navigational data on board high speed craft

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Translation: Only the Danish version is authentic

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Technical Regulation concerning registration of navigational data on board high speed craft *)

In pursuance of subsection (5) of section 2, section 4, subsection (2) of section 11, subsection (2) of section 14, and section 28 in the Safety of Ships, etc. Act, cf. Consolidation Act No. 594 of 26 June 1996 and by order pursuant to Order No. 694 of 17 August 1995 and after consultation with the Minister for the Environment and Energy the following rules are hereby laid down:

*) The Technical Regulation has been notified in accordance with the Council Directive 83/189/EØF as amended by the latest Directive 94/10/EC.

Application

1. This Technical Regulation applies to all high speed craft as defined in section 4.
2. The Technical Regulation applies to new as well as existing high speed craft, trading on fixed routes to a Danish port or between Danish ports.

Objective

3. The purpose of this Technical Regulation is to facilitate the authorities' possibility of exercising control over the high speed crafts' voyage patterns in order to increase the level of protection of nature and cultural values on and in the sea, the recreational interests and to improve the safety of navigation.

Definitions

4. Terms used in the Technical Regulation:
 - 1) "High Speed Craft": A craft built and operated according to the international codes applicable to high speed craft adopted by the International Maritime Organization (IMO).
 - 2) "Position": The position of the craft obtained from a navigation receiver.

- 3) "Speed": The speed made good by the craft.
- 4) "Course": The course of the craft obtained from a gyro compass or from a navigation receiver.
- 5) "Water depth": The relevant under keel clearance obtained from the crafts echo sounding device or the theoretically calculated water depth based on the position of the craft.
- 6) "Time": Local time or Universal Time Co-ordinated (UTC).

Inspection and Control

5. The Danish Maritime Authority exercises the measures necessary to secure adherence to this Technical Regulation.

Equipment requirements and storing of data, etc.

6. On board all high speed craft an automatic electronic collection, registration and storing of navigational data shall be carried out from the time when the craft commences her voyage until the voyage has been completed. Registration is not required as long as the vessel is in port.

7. (1) Navigation data shall as a minimum consist of electronically obtained information regarding position and speed, course, water depth and time.

(2) The accuracy of the position shall basically be better than 50 meters. Data from a satellite receiver are acceptable as source for the above mentioned navigation data.

The collecting of data during the voyage shall be related to the speed of the craft and shall as a minimum be obtained every 0.1 nautical mile the craft has made good.

9. (1) The collected data shall be retained on board in an electronic format for a period of at least 6 months. It shall not be possible to make any changes in the data during that period.

(2) The collected data shall upon request be made available to the Danish Maritime Authority.

(3) The Danish Maritime Authority may pass data as referred to in 9.(2) to other authorities if these authorities consider the data to be of possible importance to actions or decisions such authorities need to take.

10. In cases where technical problems on board a craft already trading on a fixed route temporarily prevent the registration of data the Master shall immediately order the equipment to be serviced and at the same time inform the Danish Maritime Authority accordingly.

Penalty provisions

11. (1) A person who infringes this Technical Regulation shall be liable to a fine or mitigated imprisonment (hæfte).

(2) Where the offence has been committed by a company etc. (legal persons) liability according to the regulations in section 5 of the Penal Code may be imposed.

Entry into force

12. This Technical Regulation comes into force 1 April 1998.

The Danish Maritime Authority, 4 December 1997