

Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships

Pursuant to section 1(2), sections 2-5 and section 32 of the act on safety at sea, cf. consolidated act no. 903 of 12 July 2007, as enacted by decree no. 882 of 25 August 2008 on the entry into force for Greenland of the act on safety at sea, the following provisions are laid down following consultation with the Government of Greenland and by authority:

Section 1. This technical regulation shall apply to passenger ships engaged on international voyages, irrespective of size, and to cargo ships of 15 metres in length and above or with a scantling number of 100 or above, irrespective of whether they are engaged on domestic or international voyages, and recreational craft with a hull length above 24 m, unless otherwise stated in the individual chapters.

Subsection 2. Detailed regulations regarding the construction and equipment etc. of ships are published as annexes to this technical regulation, and the annexes consist of the following chapters:

B I		General provisions.
B II-1	A	Construction – structure, subdivision and stability, machinery and electrical installations. General provisions and construction.
B II-1	B	Construction – structure, subdivision and stability, machinery and electrical installations. Subdivision and stability.
B II-1	C	Construction – structure, subdivision and stability, machinery and electrical installations. Machinery.
B II-1	D	Construction – structure, subdivision and stability, machinery and electrical installations. Electrical installations.
B II-1	E	Construction – structure, subdivision and stability, machinery and electrical installations. Additional requirements concerning periodically unattended machinery spaces.
B II-1	N	Construction – structure, subdivision and stability, machinery and electrical installations. Refrigeration systems.
B II-2	A	Construction – Fire protection, fire detection and fire extinction. General provisions.
B II-2	B	Construction – Fire protection, fire detection and fire extinction. Prevention of fire and explosion.
B II-2	C	Construction – Fire protection, fire detection and fire extinction. Suppression of fire.
B II-2	D	Construction – Fire protection, fire detection and fire extinction. Escape.
B II-2	E	Construction – Fire protection, fire detection and fire extinction. Operational requirements.
B II-2	F	Construction – Fire protection, fire detection and fire extinction. Alternative design and arrangements.
B II-2	G	Construction – Fire protection, fire detection and fire extinction. Special requirements.
B II-2	N(1)	Construction – Fire protection, fire detection and fire extinction. CO ₂ fire extinguishing systems.
B II-2	N(2)	Construction – Fire protection, fire detection and fire extinction. Fire extinguishing systems with mixed atmospheric gases.

B II-2	N(3)	Construction – Fire protection, fire detection and fire extinction. Periodic surveys etc. of fire extinguishers.
B II-3		Accommodation, etc.
B II-4	A	Working spaces and workstations – arrangement and equipment.
B II-4	B	Central systems for welding with acetylene and oxygen.
B II-4	C	Installation and use of equipment for arc welding and allied processes.
B II-5		The Load Line Convention, 1966, as amended by the Protocol of 1988.
B II-5	A(I-I)	The Load Line Convention, 1966, as amended by the Protocol of 1988.
B II-5	A(I-II)	The Load Line Convention, 1966, as amended by the Protocol of 1988.
B II-5	A(I-III)	The Load Line Convention, 1966, as amended by the Protocol of 1988.
B II-5	A(I-IV)	The Load Line Convention, 1966, as amended by the Protocol of 1988.
B II-5	A(II)	The Load Line Convention, 1966, as amended by the Protocol of 1988.
B II-5	A(III)	The Load Line Convention, 1966, as amended by the Protocol of 1988.
B II-5	N	Load lines.
B III	A	Life-saving appliances and arrangements. General.
B III	B	Life-saving appliances and arrangements. Requirements for ships and life-saving appliances.
B III	C	Alternative design and arrangements.
B IV		Radiocommunications GMDSS.
B V		Safety of navigation.
B VI		Carriage of cargoes.
B VII		Carriage of dangerous goods.
B VIII		Nuclear ships.
B IX		Safe operation of ships.
B X		High-speed craft.
B XI		Special measures to enhance maritime safety.
B XII		Additional safety measures for bulk carriers.
B XIII-XX		Reserved
B XXI		Prevention of oil pollution from ships.
B XXII		Control of pollution by noxious liquid substances in bulk.

B XXIII	Prevention of pollution by harmful substances carried by sea in packaged form.
B XXIV	Treatment and storage of sewage.
B XXV	Prevention of pollution by garbage from ships.
B XXVI	Prevention of air pollution from ships.
B Appendix	Regulations that enter into force on 1 January 2011.
Annex 1 A	SOLAS certificates.
Annex 1 B	Load line certificates.
Annex 1 C	MARPOL certificates.
Annex 2	National certificates.

Section 2. The provisions of chapters I, II-1 (A-E), II-2 and III-XII are essentially based on the International Convention for the Safety of Life at Sea (SOLAS) 1974, as amended, and associated protocols, and Directive 2003/25/EC of the European Parliament and of the Council.

Subsection 2. Chapter II-5 A is formulated on the basis of the International Convention on Load Lines of 5 April 1966 (ILLC 66) together with the associated protocol of 1988 and Annex B to this protocol. Chapter II-5 N contains regulations which supplement or expand on the Convention and the Protocol of 1988 and regulations for ships less than 24 metres in length.

Subsection 3. The provisions of chapter II-3 on accommodation etc., parts I and II, are based on the international Accommodation of Crews Convention, ILO Convention no. 92 of 18 June 1949 and no. 133 of 30 October 1970.

Subsection 4. Chapters XXI, XXII, XXIII, XXIV, XXV and XXVI contain a number of provisions implementing those parts of the International Convention for the Prevention of Pollution from Ships, MARPOL 73/78 and its associated Protocol of 1997, which fall within the area of the Act on Safety at Sea. These provisions are marked with an "S". In addition, the mentioned chapters also contain a translation of the part of the Convention which solely relates to the Act on Protection of the Marine Environment. The translation is marked with an "M" for each rule. These provisions are only included for informative purposes. The regulations which implement these parts of the Convention into Danish legislation are issued by the Minister for the Environment within the framework of the Act on Protection of the Marine Environment. Some of the regulations in the Convention regard matters which fall under the Act on Safety at Sea as well as the Act on Protection of the Marine Environment. These regulations are marked with "S/M".

Subsection 5. Danish regulations supplementing or extending the provisions of the SOLAS, ILLC 66 and MARPOL Conventions are printed in italics.

Section 3. A copy of this technical regulation shall be found on board passenger ships engaged on international voyages and cargo ships of 15 metres in length and above or with a scantling number of 100 or above. This does not preclude the use of the electronic medium provided that the technical regulation can be read on board.

Penalties, measures and entry into force, etc.

Section 4. Contravention of this regulation shall be punished with a fine or imprisonment of up to one year.

Subsection 2. The penalty may increase to imprisonment for up to 2 years, if

- 1) the contravention has caused harm to life or health or led to the risk thereof,
- 2) a ban or order has previously been issued regarding the same or equivalent circumstances, or
- 3) the contravention resulted in, or was intended to result in, financial gain for the party concerned or for others.

Subsection 3. If the profits gained through the contravention are not confiscated, particular consideration shall be given to the size of the financial gain or intended financial gain when meting out any fine, including any supplementary fine.

Subsection 4. Criminal liability may be incurred by companies, etc. (legal entities) in accordance with the rules of chapter 5 of the Penal Code.

Section 5. If the circumstance is covered by the Decree concerning the entry into force for Greenland of the act on safety at sea, measures may be prescribed pursuant to the Criminal Code for Greenland.

Subsection 2. The circumstances referred to in Section 4(2) shall be regarded as aggravating circumstances.

Subsection 3. If the profits gained through the contravention are not confiscated, cf. section 116(1) of the Penal Code, particular consideration shall be given to the size of the financial gain or intended financial gain when meting out the fine, including supplementary fines.

Subsection 4. If a contravention is committed by companies, etc. (legal entities), liability to pay a fine may be incurred by the legal entity as such. If the contravention is committed by the State, Greenland's Home Rule, a municipality, an inter-municipal enterprise covered under Section 64 of the Landsting Act on municipal councils and local authorities, etc. or a local authority, the relevant public authority as such shall be liable to punishment by fine.

Subsection 5. If the relevant party is not resident in Greenland, or their connection to Greenland society is otherwise so remote that the prerequisites for the application of the measures do not exist, proceedings may be instigated or the case sent for trial in Denmark.

Section 6. This technical regulation shall enter into force on 1 July 2010.

Subsection 2. The structural requirements in the previous provisions of the annex entitled "Appendix" shall enter into force on 1 January 2011.

Subsection 3. The structural requirements of the previous provisions shall continue to apply to existing ships, unless otherwise provided in this technical regulation.

Notice B from the Danish Maritime Authority								
Chapter dates from 21 October 1991								
Date of signature	21/10-91	21/1-93	15/7-93	6/12-93	19/9-94	28/11-95	29/5-96	10/12-96
B I	7/1-91	15/11-91			3/1-94			
B II-1 A	7/1-91				3/1-94			
B II-1 B1	7/1-91	15/11-91			3/1-94			
B II-1 B2	7/1-91	15/11-91						
B II-1 C	7/1-91				3/1-94			
B II-1 D and E	7/1-91	15/11-91			3/1-94			
B II_1 N(1)								
B II-2 A1	7/1-91	15/11-91			1/8-94			1/1-97
B II-2 A2	7/1-91	15/11-91			1/8-94			
B II-2 B	7/1-91	15/11-91			1/8-94			1/1-97
B II-2 C	7/1-91	15/11-91						
B II-2 D	7/1-91	15/11-91	15/3-93		1/8-94			
B II-2 A and B								
B II-2 C								
B II-2 D and E								
B II-2 F and G								
B II-2 N(1)								
B II-2 N(2)								
B II-2 N(3)								
B II-3	7/1-91							
B II-4 A								
B II-4 B								
B II-4 C								
B II-5 A1					3/1-94			
B II-5 A2					3/1-94			
B II-5 A3					3/1-94			
B II-5 N	7/1-91							

B II-2 G	1/8-09	1/7-10					
B II-2 N(1)		1/7-10					
B II-2 N(2)							
B II-2 N(3)							
B II-3		1/7-10					
B II-4 A							
B II-4 B							
B II-4 C							
B II-5							
B II-5 A(I-I)		1/7-10					
B II-5 A(I-II)							
B II-5 A(I-III)							
B II-5 A(I-IV)							
B II-5 A(II)							
B II-5 A(III)							
B II-5 N							
B III A		1/7-10					
B III B	1/8-09	1/7-10					
B III C		1/7-10					
B IV GMDS	1/8-09	1/7-10					
B V	1/8-09		1/1-11				
B VI	1/8-09		1/1-11				
B VII			1/1-11				
B VIII							
B IX	1/8-09	1/7-10					
B X							
B XI A	1/8-09						
B XI B	1/8-09						
B XII							
B XXI	1/8-09	1/7-10					
B XXII							
B XXIII	1/8-09						
B XXIV		1/7-10					
B XXV							
B XXVI		1/7-10	1/1-11				
Annex 1 A	1/8-09		1/1-11				
Annex 1 B							
Annex 1 C		1/7-10	1/1-11				
Annex 2							

*) Date of digital promulgation of Notice B from the Danish Maritime Authority.

**) Found in the Annex entitled "Appendix"

Discontinued chapters:

Date of signature	B II-1 A and B	B II-1 E and F	B II-4	B III C1	B III C2	B IV	B XI
21/10-91		7/1-91	7/1-91			7/1-91	
21/1-93							
15/7-93							
6/12-93			2)	3)	3)	1)	
19/9-94							
28/11-95							
29/5-96							
10/12-96							
26/6-97							
16/6-98		1)	2)	3)	3)	1)	

7/5-99							
11/12-00							
19/7-01							4)
12/12-01							
19/4-02							
14/3-08	6)						

Notes to the tables:

- 1) Chapter B II-1 E has been incorporated at the back of chapter II-1 D of 1 July 1998, and chapter B II-1 F is discontinued. Chapter B IV, Radio telegraphy and radio telephony, is discontinued.
- 2) Chapter B II-4 on noise has now been replaced by similar provisions in Notice A from the Danish Maritime Authority.
- 3) As of 1 July 1998, the content of chapter III has been changed and now it is published as two chapters. Previous chapters II C 1 and C 2, which contained functional requirements for life-saving appliances, have been replaced by the International Life-Saving Appliances Code (LSA Code), Resolution MSC.48(66), cf. regulation 4 of chapter III.
- 4) Chapter B XI on special measures to enhance maritime security has now been replaced by chapter B XI-1.
- 5) In 2003, chapter XX changed into chapter XXIV, and chapter XXIV changed into chapter XXV.
- 6) Chapter I-1 A and B is repealed and re-issued as a consequence of the revision and harmonisation of the damage stability chapter in accordance with Resolution MSC.261(82).

The Danish Maritime Authority, 10 May 2010

Per Sønderstrup / Jeppe Skovbakke Juhl

Technical regulation on the construction and equipment etc. of ships

Introduction

Notices from the Danish Maritime Authority consist of a short technical regulation and a number of annexes in the form of chapters. The technical regulation contains the statutory basis, the application, the penalty and entry into force clauses and a list of the most recent revisions of each individual chapter. Together the annexes and the annex parts form a consolidated version of Notice B from the Danish Maritime Authority which reflects the regulations in force on the entry into force date.

When future amendments are made to individual chapters, a new consolidated version will be issued, which will be enacted by the issuance of a new technical regulation.

Unless otherwise specified in each individual chapter, existing ships shall only comply with the structural requirements in force when the ship was constructed. However, derogations from this may be specified in regulations issued subsequently.

The technical regulation is followed by an overview of the chapters dating from the first issuance in 1991. From 1991 to 2008, the overview refers to previously issued chapter booklets. From 2009, the date of the chapters is made in relation to the main parts of the chapters.

Amended chapters

Chapter I – General provisions

In regulation 10, a minor clarification has been made as regards the five-year bottom survey for cargo ships.

Chapter II-1 – Subdivision and stability

In part II-1 A, a minor clarification has been made as regards regulation 3-4 on emergency towing arrangements on tankers.

With the updating of the part on ships' intact stability, the Danish Maritime Authority has made the new revised Code on Intact Stability mandatory for all ships.

In part II-1 D, regulation 4, a provision has been added requiring supplementary lighting to be available in all cabins for new passenger ships, clearly indicating the exit so that it is possible for the persons in the cabin to find their way to the door. Such lighting shall give out light automatically when the power for the ordinary supply is lost.

A new regulation 55 has been inserted in part II-1 F on alternative design and arrangements in connection with machinery and electrical installations. This regulation makes it possible to use alternative design and arrangements if they meet the intention behind the relevant requirements and present an equivalent level of safety.

Chapter II-2 A – Construction – General provisions

Minor editorial amendments have been made in this part.

Chapter II-2 C – Construction – suppression of fire

Amendments have been introduced as regards the fire integrity requirement for doors of Class A and B concerning the opening below the door. The requirements apply to doors installed on or after 1 July 2010.

In regulation 7, new requirements for fire-detection systems in passenger ships are inserted so that it is possible to identify all fire-detectors and fire-pressures individually and so that it is possible for fire-detectors in cabins to sound an audible alarm in each individual cabin.

In addition, new requirements for ventilation ducts of steel or equivalent material are introduced as regards flame spread and calorific value.

In regulation 9, new requirements for fire-protection in atriums concerning fire-doors approved without the threshold being a part of the door frame are introduced. Finally, there are new requirements for ventilation ducts.

The previous Danish special regulations in regulation 10 on compressors for recharging fire-fighters' breathing air cylinders in passenger ships will become international in new passenger ships and will continue to apply to existing passenger ships.

Minor editorial amendments and updates have been made in note references.

Chapter II-2 G – Construction – special requirements

New requirements are introduced for passenger ships' possibility of returning to a safe port or place of refuge, on systems that are to remain capable of operating after a fire incident and on safety centres.

Furthermore, minor editorial amendments have been made, and note references have been updated.

Chapter II-2 (N(1) – High-pressure CO₂ systems

The revised chapter on CO₂ systems in the Fire Safety Systems Code (FSS Code) provides the user with an improved overview of the Code's requirements as well as the Danish special regulations on CO₂ systems.

Chapter III – Life-saving appliances and arrangements

A new regulation 38 has been inserted the purpose of which is to bring about a methodology for alternative design and alternative arrangements in connection with life-saving appliances and arrangements. Instead, the alternative design is to be subjected to a technical analysis in accordance with the "Guidelines on alternative design and arrangements for SOLAS chapters II-1 and III" (MSC.1/Circ.1212).

Chapter IV – Radiocommunications GMDSS

The previous mandatory requirement for a radio log in regulation IV/17 has been deleted. In the future, it is voluntary whether radio recordings are entered in the ship's log or in a radio log.

Furthermore, a number of editorial amendments have been made as regards Inmarsat earth stations in regulations 7, 9 and 10.

Chapter IX – Safe operation of ships

Minor editorial amendments have been made as well as an update following resolution A.1022(26).

Chapter XXI – Prevention of oil pollution from ships

Editorial amendments have been made in this chapter as a consequence of an amendment of the oil residue (sludge) definition.

Chapter XXIV – Prevention of pollution by sewage from ships

Minor editorial amendments have been made in this chapter clarifying that sewage from animals is also covered by these provisions.

Chapter XXVI – Prevention of air pollution from ships

The most extensive amendments in this chapter are stricter requirements on the discharge of SO_x and NO_x. These requirements become gradually stricter. The first new requirements for stricter SO_x discharges enter into force on 1 July 2010 in the special emission control areas, while the first stricter requirements for NO_x discharges will enter into force on 1 January 2011. The related IAPP certificates are also amended.

In addition, more lenient requirements have been introduced as regards the designation of the special emission control areas, which means that, in the future, more such areas are expected.

Furthermore, it should be added that the technical NO_x Code (which does not form part of Notices B) has also been revised. The related EIAPP certificate has also been amended.

Annex Appendix – Regulations entering into force as of 1 January 2011

This part contains regulations entering into force on 1 January 2011, which will not be incorporated into the text until the publication of the spring 2011 edition.

Chapter II-1 – Sub-division and stability

Minor clarifications have been made in the text.

Chapter II-2 G – Construction – special requirements

There are minor amendments and clarifications in regulation 19 in general and in table 19.3 especially, where new columns have been introduced under classes 2.3 and 4.3, which are subdivided into liquids and solids.

Chapter V – Safety of navigation

Amendments of this chapter have been made on the basis of resolution MSC.282(86). *Excepted is the resolution's addition of regulations 19.2.2.3 and 19.2.2.4 on a bridge navigation watch alarm system (BNWAS). This text as well as the text in regulation 19.1.2.4 is the national requirement for a bridge navigation watch alarm system of 1 March 2006. At the same time, the previous text as regards the national requirement for a bridge navigation watch alarm system in regulation 19.7 has been deleted.*

Furthermore, a new requirement has been introduced in the chapter for an electronic chart and display information system (ECDIS) in the new regulations 19.2.10 and 19.2.11. In this connection, the text of regulation 19.2.1.4 has been amended, and an editorial amendment has been made in regulation 18.4.

Chapter VI – Carriage of cargoes

There are several amendments of this chapter for which reason a revised chapter has been inserted.

Chapter VII – Carriage of dangerous cargoes

The amendments to this chapter will enter into force (internationally) on 1 January 2011. Considering the provisions on the Baltic Sea MoU, shipowners are urged to meet the provisions as soon as possible.

The chapter is amended in order to implement the International Maritime Solid Bulk (IMSBC) Code, laying down guidelines for the carriage of hazardous solids carried in bulk. The application of the Baltic Sea agreement as an alternative to the IMDG Code when carrying dangerous goods on ro-ro ships in the Baltic Sea area and the preconditions for this have been clarified. In this connection, drivers are prescribed to guarantee declarations on dangerous goods. Furthermore, the regulations on old gas tankers have been updated. Finally, the footnotes in the chapter have been updated.

Chapter XXI – Prevention of oil pollution from ships

In this chapter, an appendix containing a new part VIII has been introduced. As a consequence of the new regulations, consequential amendments will be made in the IOPP certificate as well as the Oil Record Book. The appendix contains the new certificate, and the Oil Record Book will be published before the entry into force of the new regulations.

The new regulations concern stricter requirements for STS operations.

Annex 1 A – SOLAS certificates

Minor editorial amendments have been made to this part as a consequence of the amendments of chapter V on the implementation of bridge navigation watch alarm systems.

Annex 1 C – MARPOL certificates

The IOPP certificate has been amended as a consequence of the amendments to chapter XXI on the prevention of oil pollution by ships.

Annex 1 C – MARPOL certificates

The IAPP certificate has been amended as a consequence of the amendments of chapter XXVI on the prevention of air pollution by ships.

Notice from the Danish Maritime Authority B – The Construction and Equipment, etc. of Ships

Chapter B I

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Part A – Application, definitions etc.

Regulation 1 – Application

- (a) Unless expressly provided otherwise, the present *set of regulations* shall apply to *passenger ships, irrespective of size, engaged on international voyages and cargo ships with a length (L) of 15 m and above or with a scantling number of 100 or above, irrespective of whether they are engaged on domestic or international voyages, cf. however the exemptions in regulation 3.*
- (b) The classes of ships to which each chapter applies are more precisely defined, and the extent of the application is shown, in each chapter.
- (c) *Chapter I shall apply to new and existing ships (cf. the definition in regulation 2(k) and (l).*
- (d) *If the design or application of a cargo ship deviates from the principles on which the drafting of this set of regulations is based, or if the number of persons working on board the ship exceeds the crew carrying out the ship's normal navigation, on-going maintenance, operation of machinery and mess services, etc. by more than 12 persons, this shall be taken into account when designing, equipping and operating the ship so that it is ensured that the ship complies with the provisions of section 2 of the Act on Safety at Sea. In this connection, the Danish Maritime Authority may make the issuance of a trade permit conditional upon the ship's partial or full compliance with the rules applying to passenger ships.*

Regulation 2 – Definitions

For the purpose of the present regulations, unless expressly provided otherwise:

- (a) “Regulations” means the regulations contained in the annex to the present Convention (SOLAS 74).
- (b) “Administration” means the Government of the State whose flag the ship is entitled to fly. *In the case of Danish ships, the Administration is the Danish Maritime Authority unless otherwise provided.*
- (c) “Approved” means approved by the Administration.¹⁾
- (d) “International voyage” means a voyage from a country to which the present Convention (SOLAS 74) applies to a port outside such country, or conversely. *Voyages between Denmark and the Faeroes and between Denmark and Greenland as well as voyages between the Faeroes and Greenland or between two foreign ports are regarded as international voyages.*
- (e) A “passenger” is every person other than:
 - (i) the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and
 - (ii) a child under one year of age.
- (f) A “passenger ship” is a ship which carries more than twelve passengers.
- (g) A “cargo ship” is any ship which is not a passenger ship *or a fishing vessel.*
- (h) A “tanker” is a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable nature.
- (i) A “fishing vessel” is a vessel used for catching fish, whales, seals, walrus or other living resources of the sea, *or which is subject to Notice E from the Danish Maritime Authority.*

¹⁾ *The Danish Maritime Authority shall accept calculations and tests that have been carried out by approved testing bodies, including testing bodies in other EU member States as well as in countries signatory to the EEA Agreement, which provide appropriate and satisfactory guarantees of the technical, professional and independent nature of the tests.*

Equipment that has been deemed to be compliant and is wheelmarked in accordance with Council Directive 96/98/EC of 20 December 1996 on marine equipment, as amended, which entered into force on 1 January 1999, shall be approved. See Technical Regulation on marine equipment, which transposes Council Directive 96/98/EC.

- (j) A “nuclear ship” is a ship provided with a nuclear power plant.
- (k) “New ship” means a *passenger or cargo* ship the keel of which is laid or which is at a similar stage of construction on or after 25 May 1980. *For cargo ships of less than 500 gross tonnage, a new ship is a ship the keel of which is laid on or after 1 January 2002.*
- (l) “Existing ship” means a ship which is not a new ship.
- (m) A “mile” is 1,852 m or 6,080 ft.
- (n) “Anniversary date” means the day and the month of each year which will correspond to the date of expiry of the relevant certificate.
- (o) “Organisation” means the *International Maritime Organization (IMO)*.
- (p) “Parties” means *countries which have acceded to SOLAS 74 and associated Protocol of 1978.*
- (q) “Classification society” means *an organisation recognised by the Danish Maritime Authority in accordance with the provisions of chapter XI, regulation 1.*²
- (r) “Length L1” means *the length measured from the foreside of the intersection of the plating with the topside of the deck at the stem to the after side of the intersection of the plating with the deck at the stern.*
- (s) “Scantling number” is *the length L1 multiplied by the maximum breadth B of the ship as stated in the ship’s tonnage certificate.*³
- (t) “Gross tonnage” means *the gross tonnage (GT) measured in accordance with provisions in force concerning tonnage measurement of ships; in the case of ships with a length of 24 metres and above, in accordance with the International Convention of Tonnage Measurement of Ships, 1969. In the case of ships built before 18 July 1994 which were measured in accordance with tonnage measurement rules in force before the International Convention on Tonnage Measurement of Ships, 1969, entered into force, and where this tonnage is indicated in the international tonnage certificate (1969), this gross tonnage shall be used in connection with these provisions. In the case of ships of less than 24 metres in length which are only measured in accordance with the tonnage measurement rules (1947) previously in force, the gross registered tonnage (GRT) shall be used.*
- (u) “Recreational craft” means *a vessel which, irrespective of the means of propulsion, is used for sport or recreational purposes, and which is not used for commercial purposes, cf. Notice L from the Danish Maritime Authority on the construction and equipment, etc. of recreational craft.*
- (v) “Length (L)” shall be taken as *96% of the total length on a waterline at 85% of the least moulded depth measured from the keel line, or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel, the waterline on which this length is measured shall be parallel to the designed waterline.*⁴

Regulation 3 – Exceptions

- (a) The present regulations (*cf. regulation 2 (a)*), unless expressly provided otherwise, do not apply to:
 - (i) Ships of war and troopships.
 - (ii) Cargo ships with a length (L) of less than 15 metres and a scantling number of less than 100.
 - (iii) Ships not propelled by mechanical means.

² Refer to the *Technical Regulation on the recognition and authorisation of organisations carrying out inspections and surveys of ships in force at any particular time.*

³ Cf. *Order no. 845 of 1 December 1998 on the measurement of small ships.*

⁴ Cf. *the definition of length in chapter II-5 Article 2.*

- (iv) Wooden ships of primitive build.
 - (v) Pleasure yachts, *the keel of which was laid before 1 January 2004, and pleasure yachts with a hull length of 24 metres or less, the keel of which was laid on or after 1 January 2004*, not engaged in trade.
 - (vi) Fishing vessels.
- b) Except as expressly provided in chapter V, nothing herein shall apply to ships solely navigating the Great Lakes of North America and the River St Lawrence as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd meridian.

Regulation 4 – Exemptions⁵⁾

- (a) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present regulations provided that it complies with safety requirements which are adequate in the opinion of the Administration for the voyage which is to be undertaken by the ship.
- (b) The Administration may exempt any ship which embodies features of a novel kind from any of the provisions of chapters II-1, II-2, III and IV of these regulations the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship. The Administration which allows any such exemption shall communicate to the Organization particulars of same and the reasons therefore which the Organization shall circulate to the Contracting Governments for their information.
- (c) *In connection with drawing approval and the first survey of ships with a length of less than 24 metres, the Danish Maritime Authority may, after a concrete assessment, exempt ships from one or more of the provisions of this set of regulations. The precondition is that the ship complies with similar safety requirements which may, at the discretion of the Administration, suffice for ships of this size and engaged in the service area for which the ship is intended.*
- (d) *The Danish Maritime Authority may exempt individual ships, completely or in part, from undergoing the surveys that are not laid down in the international conventions applying to Denmark. This is conditional upon it being established that the use of materials, designs, arrangements, methods of working or control systems other than those prescribed provides a level of safety that is at least as effective as if the survey in question was carried out.*

Regulation 5 – Equivalent

- (a) Where the present regulations require that a particular fitting, material, appliance or apparatus, or type thereof, shall be fitted or carried in a ship, or that any particular provision shall be made, the Administration 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 ship, 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.

⁵⁾ Refer to SLS.14/Circ.115, as amended, on the issue of exemption certificates under the 1974 SOLAS Convention and amendments thereto

- (b) Any Administration which so allows, in substitution, a fitting, material, appliance or apparatus, or type thereof, or provision, shall communicate to the Organization particulars thereof together with a report on any trials made and the Organization shall circulate such particulars to other Contracting Governments for the information of their officers.

Part B – Surveys and certificates^{6) 7)}

Regulation 6 - Inspection and surveys

- (a) The inspection and survey of ships, so far as regards the enforcement of the provisions of the present regulations and the granting of exemptions therefrom, shall be carried out by officers of the Administration. The Administration may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it.
- (b) An Administration nominating surveyors or recognizing organizations to conduct inspections and surveys as set forth in paragraph (a) shall as a minimum empower any nominated surveyor or recognized organization to:
- (i) require repairs to a ship;
 - (ii) carry out inspections and surveys if requested by the appropriate authorities of a port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognized organizations.

- (c) When a nominated surveyor or recognized organization determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate or is such that the ship is not fit to proceed to sea without danger to the ship, or persons on board, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the relevant certificate should be withdrawn and the Administration shall be notified immediately; and, if the ship is in the port of another Party, the appropriate authorities of the port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or a recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organization any necessary assistance to carry out their obligations under this regulation. When applicable, the Government of the port State concerned shall ensure that the ship shall not sail until it can proceed to sea, or leave port for the purpose of proceeding to the appropriate repair yard, without danger to the ship or persons on board.
- (d) In every case, the Administration shall fully guarantee the completeness and efficiency of the inspection and survey, and shall undertake to ensure the necessary arrangements to satisfy this obligation.
- (e)
- (i) *Every ship shall, before being put into service as a new-building, be approved by the Danish Maritime Authority following a prior survey.*

⁶⁾ Refer to "Global and uniform implementation of the harmonized system of survey and certification (HSSC)" and to the "Survey guidelines under the harmonized system of survey and certification" adopted by the Organization by resolutions A.883(21) and A.948(23) respectively.

⁷⁾ *In addition to the surveys and certificates in this chapter, which refer to the SOLAS 74 Convention, as amended, this set of regulations also contains requirements concerning surveys and certificates in other chapters, including chapters II-3, II-5, XXI, XXII, XXIV and XXVI, and in Codes to which the set of regulations refers.*

- (ii) *Every ship, shall before being put into service as a ship purchased from abroad, be approved by the Danish Maritime Authority following a prior survey. In this connection, the Danish Maritime Authority shall also assess whether the ship meets the general requirements in section 2 of the Act. This assessment shall not, however, be carried out for aspects that are covered by Regulation (EC) no. 789/2004 of 21 April 2004 on the transfer of cargo and passenger ships between registers within the Community.*
- (f) *No passenger ship may be put into service without the permit for sailing with passengers referred to in subparagraph 12(a)(i), sail outside the area of operation stated in the permit nor set sail with more passengers on board than stated therein.*
- (g) *Ships may not sail if the validity of a certificate issued by the Danish Maritime Authority, or on its behalf, has expired, or if a prescribed survey has not been carried out.*

Regulation 6-1 – Special surveys and survey intervals

- (a) *The Danish Maritime Authority may at any time order a ship to undergo an extraordinary survey, and similarly, under exceptional circumstances, it may set survey intervals which differ from those contained in regulations 8-1, 9-1 and 10-1 of this chapter.*
- (b) *In the case of a ship that has been taken out of service, the Danish Maritime Authority may permit prescribed periodical surveys to be wholly or partly omitted, provided the ship remains out of service.*

Regulation 7 – Surveys of passenger ships⁸⁾

- (a) A passenger ship shall be subject to the surveys specified below:
 - (i) an initial survey before the ship is put in service;
 - (ii) a renewal survey once every 12 months, except where regulation 14(b), (e), (f) and (g) is applicable;
 - (iii) additional surveys, as occasion arises.
- (b) The surveys referred to above shall be carried out as follows:
 - (i) the initial survey shall include a complete inspection of the ship's structure, machinery and equipment, including the outside of the ship's bottom and the inside and outside of the boilers. 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, means of embarkation for pilots and other equipment fully comply with the requirements of the present regulations, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration for ships 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 ship and its equipment is in all respects satisfactory, and that the ship 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;
 - (ii) the renewal survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, including the outside of the ship's bottom. The survey shall be such as to ensure that the ship, as regards the structure, boilers and other pressure

⁸⁾ Refer to resolution A.794(19), Surveys and inspections of ro-ro passenger ships and MSC/Circ. 956, Guidelines for unscheduled inspections of ro-ro passenger ships by flag States.

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, means of embarkation for pilots 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 laws, decrees, orders and regulations promulgated as a result thereof by the Administration. The lights, shapes, means of making sound signals and distress signals carried by the ship shall also be subject to the abovementioned 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;

(iii) an additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in regulation 11, or 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 ship complies in all respects with the provisions of the present regulations and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration;

(c)

(i) the laws, decrees, orders and regulations referred to in paragraph (b) of this regulation shall be in all respects such as to ensure that, from the point of view of safety of life, the ship is fit for the service for which it is intended;

(ii) they shall among other things prescribe the requirements to be observed as to the initial and subsequent hydraulic or other acceptable alternative tests to which the main and auxiliary boilers, connections, steam pipes, high pressure receivers and fuel tanks for internal combustion engines are to be submitted including the test procedures to be followed and the intervals between two consecutive tests.

Regulation 8 – Surveys of life-saving appliances and other equipment of cargo ships *with a gross tonnage of 500 and upwards*

(a) The life-saving appliances and other equipment of cargo ships of 500 gross tonnage and upwards as referred to in paragraph (b)(i) shall be subject to the surveys specified below:

(i) an initial survey before the ship is put in service;

(ii) a renewal survey at intervals specified by the Administration but not exceeding 5 years, except where regulation 14(b), (e), (f) and (g) is applicable;

(iii) a periodical survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the Cargo Ship Safety Equipment Certificate which shall take the place of one of the annual surveys specified in paragraph (a)(iv);

(iv) an annual survey within 3 months before or after each anniversary date of the Cargo Ship Safety Equipment Certificate;

(v) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).

(b) The surveys referred to in paragraph (a) shall be carried out as follows:

(i) the initial survey shall include a complete inspection of the fire safety systems and appliances, life-saving appliances and arrangements except radio installations, the shipborne navigational equipment, means of embarkation for pilots and other equipment to which chapters II-1, II-2, III and V apply to ensure that they comply with the

requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended. The fire control plans, nautical publications, lights, shapes, means of making sound signals and distress signals shall also be subject to the abovementioned survey for the purpose of ensuring that they comply with the requirements of the present regulations and, where applicable, the International Regulations for Preventing Collisions at Sea in force;⁹⁾

- (ii) the renewal and periodical surveys shall include an inspection of the equipment referred to in paragraph (b)(i) to ensure that it complies with the relevant requirements of the present regulations and the International Regulations for Preventing Collisions at Sea in force, is in satisfactory condition and is fit for the service for which the ship is intended;
 - (iii) the annual survey shall include a general inspection of the equipment referred to in paragraph (b)(i) to ensure that it has been maintained in accordance with regulation 11(a) and that it remains satisfactory for the service for which the ship is intended.
- (c) The periodical and annual surveys referred to in paragraphs (a)(iii) and (a)(iv) shall be endorsed on the Cargo Ship Safety Equipment Certificate.

Regulation 8-1 – Survey of life-saving appliances and other equipment of cargo ships with a gross tonnage of less than 500

- (a) *Life-saving appliances and other equipment in cargo ships of 250 gross tonnage and upwards, but less than 500, as referred to in subparagraph (c)(i), shall undergo the following surveys:*
- (i) *An initial survey before the ship is put into service.*
 - (ii) *A renewal survey at intervals not exceeding 5 years.*
 - (iii) *An intermediate survey within 3 months after the 2nd anniversary date and within 3 months before the 3rd anniversary date of the Cargo Ship Safety Equipment Certificate. (Not less than 27 and not more than 33 months after the initial survey or last renewal survey).*
- (b) *In cargo ships with a length (L) of 15 m or above or with a scantling number of 100 or above, but with a gross tonnage below 250, life-saving appliances and other equipment as referred to in subparagraph (c)(i) shall be subjected to the following surveys:*
- (i) *An initial survey before the ship is put into service.*
 - (ii) *A renewal survey at intervals not exceeding 5 years.*
- (c) *The surveys referred to in (a) and (b) shall be carried out as follows:*
- (i) *The initial survey shall include a full inspection of fire safety systems and extinguishing appliances, life-saving appliances and arrangements, with the exception of radio installations, shipborne navigational equipment, means of embarkation for pilots and other equipment covered by chapters II-1, II-2, III and V to ensure that it complies with the requirements of the present regulations, is in satisfactory condition and fit for the service for which the ship is intended. Fire control plans, nautical publications, lights, shapes and means of making sound signals and distress signals shall be subjected to an equivalent survey to that referred to above 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, where applicable.*
 - (ii) *Renewal and periodical surveys shall comprise an inspection of the equipment referred to in subparagraph (c)(i) for the purpose of ensuring that it complies with the requirements of the present regulations and of the International Regulations for Preventing Collisions at Sea in force, is in satisfactory condition and fit for the service for which the ship is intended.¹⁰⁾*

⁹⁾ Refer to the Record of approved cargo ship safety equipment (SLS.14/Circ.1).

¹⁰⁾ In the case of cargo ships constructed before 1 January 2002, the rules in force at the time of construction, as amended. For ships constructed after 1 June 1985 but before 1 January 2002, Notice C from the Danish Register of Ships, as amended.

(d) *The intermediate surveys referred to in paragraph (a)(iii) shall be endorsed on the Cargo Ship Safety Certificate for cargo ships with less than 500 gross tonnage.*

Regulation 9 – Surveys of radio installations of cargo ships of 300 gross tonnage and above

- (a) The radio installations, including those used in lifesaving appliances, of cargo ships to which chapters III and IV apply shall be subject to the surveys specified below:
- (i) an initial survey before the ship is put in service;
 - (ii) a renewal survey at intervals specified by the Administration but not exceeding five years, except where regulation 14(b), (e), (f) and (g) is applicable;
 - (iii) a periodical survey within three months before or after each anniversary date of the Cargo Ship Safety Radio Certificate;
 - (iv) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).
- (b) The surveys referred to in paragraph (a) shall be carried out as follows:
- (i) the initial survey shall include a complete inspection of the radio installations of cargo ships, including those used in life-saving appliances, to ensure that they comply with the requirements of the present regulations;
 - (ii) the renewal and periodical surveys shall include an inspection of the radio installations of cargo ships, including those used in life-saving appliances, to ensure that they comply with the requirements of the present regulations.
- (c) The periodical surveys referred to in paragraph (a)(iii) shall be endorsed on the Cargo Ship Safety Radio Certificate.

Regulation 9-1 – Surveys of radio installations of cargo ships of less than 300 gross tonnage

The annual surveys referred to in subparagraph (a)(iii) shall not apply to ships engaged solely on domestic voyages.

- (a) *The radio installations, including those used in life-saving appliances in cargo ships to which chapters III and IV apply, shall be subjected to the following surveys:*
- (i) *An initial survey before the ship is put into service.*
 - (ii) *A renewal survey at intervals not exceeding 5 years.*
 - (iii) *An annual survey within 3 months before or after each anniversary date of the Cargo Ship Safety Certificate.*
- (b) *The surveys referred to in (a) shall be carried out as follows:*
- (i) *The initial survey shall include a complete inspection of the cargo ship's radio installations, including those used in life-saving appliances, for the purpose of ensuring that they comply with the requirements of the present regulations;*
 - (ii) *The renewal and annual surveys shall include an inspection of the cargo ship's radio installations, including those used in life-saving appliances, for the purpose of ensuring that they comply with the requirements of the present regulations.*
- (c) *The annual surveys referred to in subparagraph (a)(iii) shall be endorsed on the Cargo Ship Safety Certificate for cargo ships with less than 500 gross tonnage.*

Regulation 10 – Surveys of structure, machinery and equipment of cargo ships with a gross tonnage of 500 and upwards

- (a) The structure, machinery and equipment (other than items in respect of which a Cargo Ship Safety Equipment Certificate and a Cargo Ship Safety Radio Certificate are issued) of a cargo ship as referred to in paragraph (b)(i) shall be subject to the surveys and inspections specified below:

- (i) an initial survey including an inspection of the outside of the ship's bottom before the ship is put in service;¹¹⁾
 - (ii) a renewal survey at intervals specified by the Administration but not exceeding 5 years, except where regulation 14(b), (e), (f) and (g) is applicable;
 - (iii) an intermediate survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the Cargo Ship Safety Construction Certificate, which shall take the place of one of the annual surveys specified in paragraph (a)(iv);
 - (iv) an annual survey within 3 months before or after each anniversary date of the Cargo Ship Safety Construction Certificate;
 - (v) a minimum of two inspections of the outside of the ship's bottom during the five-year period of validity of the Cargo Ship Safety Construction Certificate or the Cargo Ship Safety Certificate, except where regulation 14(e) or 14(f) is applicable. Where regulation 14(e) or 14(f) is applicable, this five-year period may be extended to coincide with the extended period of validity of the certificate. In all cases the interval between any two such inspections shall not exceed 36 months;
 - (vi) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).
- (b) The surveys and inspections referred to in paragraph (a) shall be carried out as follows:
- (i) the initial survey shall include a complete inspection of the structure, machinery and equipment. This survey shall be such as to ensure that the arrangements, materials, scantlings and workmanship of the structure, boilers and other pressure vessels, their appurtenances, main and auxiliary machinery including steering gear and associated control systems, electrical installation and other equipment comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended and that the required stability information is provided. In the case of tankers such a survey shall also include an inspection of the pump-rooms, cargo, bunker and ventilation piping systems and associated safety devices;
 - (ii) the renewal survey shall include an inspection of the structure, machinery and equipment as referred to in paragraph (b)(i) to ensure that they comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended;
 - (iii) the intermediate survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, the steering gear and the associated control systems and electrical installations to ensure that they remain satisfactory for the service for which the ship is intended. In the case of tankers, the survey shall also include an inspection of the pump-rooms, cargo, bunker and ventilation piping systems and associated safety devices and the testing of insulation resistance of electrical installations in dangerous zones;
 - (iv) the annual survey shall include a general inspection of the structure, machinery and equipment referred to in paragraph (b)(i), to ensure that they have been maintained in accordance with regulation 11(a) and that they remain satisfactory for the service for which the ship is intended;
 - (v) the inspection of the outside of the ship's bottom and the survey of related items inspected at the same time shall be such as to ensure that they remain satisfactory for the service for which the ship is intended.

¹¹⁾ Refer to the circular concerning inspection of the outside of the ship's bottom (PSLS.2/Circ.5).

- (c) The intermediate and annual surveys and the inspections of the outside of the ship's bottom referred to in paragraphs (a)(iii), (a)(iv) and (a)(v) shall be endorsed on the Cargo Ship Safety Construction Certificate.

Regulation 10-1 – Surveys of structure, machinery and equipment of cargo ships with less than 500 gross tonnage

- (a) *Cargo ships with a length (L) of 15 m or above or with a scantling number of 100 or above, but with a gross tonnage below 500, shall be subjected to the following surveys and inspections with regard to structure, machinery and equipment:*
- (i) *An initial survey, before the ship is put into service, including an inspection of the outside of the ship's bottom.*
 - (ii) *A renewal survey at intervals not exceeding 5 years.*
 - (iii) *A minimum of two inspections of the outside of the ship's outside bottom during a 5 year period, with the exception of those cases where regulation 14-1(d) is applicable. Where regulation 14-1(d) is applicable, the 5-year period may be extended to coincide with the extended period of validity of the certificate. In no case may the interval between two such inspections exceed 36 months.*
- (b) *The surveys and inspections referred to in subparagraph (a) shall be carried out as follows:*
- (i) *The initial survey shall include a complete inspection of the ship's structure, machinery and equipment, including the outside of the ship's bottom. This survey shall be such as to ensure that the arrangements, material, scantlings and workmanship of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, including steering gear and associated control systems, electrical installations and other equipment comply with the requirements of the present regulations, are in satisfactory condition and fit for the service for which the ship is intended, and that the necessary stability information is provided. Where tankers are concerned, a survey shall also include an inspection of the pump-rooms, cargo and bunker-piping systems, vent piping and associated safety devices.*
 - (ii) *Renewal surveys shall include inspection of structure, including the outside of the ship's bottom, machinery and equipment as stated in subparagraph (b)(i) for the purpose of ensuring that they comply with the requirements of the present regulations, are in satisfactory condition and fit for the service for which the ship is intended.¹²⁾*
 - (iii) *Inspection of the outside of the ship's bottom and the survey of the associated items that are inspected at the same time shall be carried out so as to ensure that they remain adequate for the service for which the ship is intended. The survey shall also include an inspection of the rudder, propeller shafting and all sea connections under the deepest operating waterline.*
- (c) *The said inspection of the outside of the ship's bottom shall be endorsed on the ship's safety certificate.*

Regulation 11 – Maintenance of conditions after survey

- (a) The condition of the ship and its equipment shall be maintained to conform with the provisions of the present regulations to ensure that the ship in all respects will remain fit to proceed to sea without danger to the ship or persons on board.

¹²⁾ *In the case of cargo ships constructed before 1 January 2002, the rules in force at the time of construction, as amended. For ships constructed after 1 June 1985 but before 1 January 2002, Notice C from the Danish Register of Ships, as amended.*

- (b) After any survey of the ship under regulations 7, 8, 9 or 10 has been completed, no change shall be made in the structural arrangements, machinery, equipment and other items covered by the survey, without the sanction of the Administration.
- (c) Whenever an accident occurs to a ship or a defect is discovered, either of which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the ship shall report at the earliest opportunity to the Administration, the nominated surveyor or recognized organization responsible for issuing the relevant certificate, who shall cause investigations to be initiated to determine whether a survey, as required by regulations 7, 8, 9 or 10, is necessary. If the ship is in a port of another Contracting Government, the master or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such a report has been made.

Regulation 12 – Issue or endorsement of certificates¹³⁾

Except for subparagraph (a)(iv), which applies to cargo ships with a gross tonnage of 300 and above, this regulation shall not apply to cargo ships with a gross tonnage of less than 500.

- (a)
 - (i) A certificate called a Passenger Ship Safety Certificate shall be issued after an initial or renewal survey to a passenger ship which complies with the relevant requirements of chapters II-1, II-2, III, IV and V and any other relevant requirements of the present regulations;

After the said survey on a passenger ship, a further permit to carry passengers shall be issued. The permit shall contain information about the conditions of the ship's operation, including as a minimum the ship's area of operation and the maximum permitted number of passengers. The permit shall be issued in duplicate, one copy of which shall be placed in a location on board where passengers can easily see it. The other copy shall be kept with the ship's annexed file.

- (ii) a certificate called a Cargo Ship Safety Construction Certificate¹⁴⁾ shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1 and II-2 (other than those relating to fire safety systems and appliances and fire control plans) and any other relevant requirements of the present regulations;

After an initial survey of a cargo ship, a further permit shall be issued for the ship to enter into service. The trading permit shall state the area in which the ship may operate and the terms on which the ship may be used. Furthermore, the maximum number of persons that the ship may carry with the life-saving appliances on board shall be stated.

- (iii) a certificate called a Cargo Ship Safety Equipment Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1, II-2, III and V and any other relevant requirements of the present regulations;

¹³⁾ Refer to resolution A.791(19) on application of the International Convention on Tonnage Measurement of Ships, 1969, to existing ships

¹⁴⁾ Refer to the circular concerning issue of supplements and attachments (PSLS.2/Circ.1).

- (iv) a certificate called a Cargo Ship Safety Radio Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapter IV and any other relevant requirements of the present regulations;
 - (v)
 - (1) a certificate called a Cargo Ship Safety Certificate may be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1, II-2, III, IV and V and any other relevant requirements of the present regulations, as an alternative to the certificates referred to in paragraph (a)(ii), (a)(iii) and (a)(iv);
 - (2) whenever in this chapter reference is made to a Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate or Cargo Ship Safety Radio Certificate, it shall apply to a Cargo Ship Safety Certificate, if it is used as an alternative to these certificates.
 - (vi) the Passenger Ship Safety Certificate, the Cargo Ship Safety Equipment Certificate, the Cargo Ship Safety Radio Certificate and the Cargo Ship Safety Certificate, referred to in subparagraphs (i), (iii), (iv) and (v), shall be supplemented by a Record of Equipment;
 - (vii) when an exemption is granted to a ship under and in accordance with the provisions of the present regulations, a certificate called an Exemption Certificate shall be issued in addition to the certificates prescribed in this paragraph;
 - (viii) the certificates referred to in this regulation shall be issued or endorsed either by the Administration or by any person or organization authorized by it. In every case, that Administration assumes full responsibility for the certificates.
- (b) A Contracting Government shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1960, 1948 or 1929, after the date on which acceptance of the present Convention by the Government takes effect.

Regulation 12-1 – Issue of certificates for cargo ships with a gross tonnage of less than 500

- (i) *After an initial survey of a cargo ship, a permit shall be issued for the ship to enter into service. The trading permit shall state the area in which the ship may operate and the terms on which the ship may be used. Furthermore, the maximum number of persons that the ship may carry with the life-saving appliances on board shall be stated.*
- (ii) *A national certificate called a National Cargo Ship Safety Certificate shall be issued after an initial survey or renewal survey to a cargo ship which complies with the requirements of chapters II-1, II-2, III, IV and V and any other relevant requirements of the present regulations. For existing cargo ships constructed before 1 January 2002 that comply with the regulations¹⁵⁾ and requirements pertaining to the ship in force, a Cargo Ship Safety Certificate shall be issued after a renewal survey. On cargo ships with a gross tonnage of 300 and above, the relevant requirements for radio installations shall be covered by the Cargo Ship Safety Radio Certificate referred to in regulation 12 (iv). On cargo ships classified by a classification society, the relevant requirements for hull structure, strength, anchor equipment, machinery, boiler plants, equipment and installations to be designated periodically unattended engine space and electrical installations shall be covered by the classification certificates for hull and machinery. The Cargo Ship Safety Certificate shall be supplemented by a Record of Equipment for the Cargo Ship Safety Certificate.*

¹⁵⁾ *In the case of cargo ships constructed before 1 January 2002, the rules in force at the time of construction, as amended. For ships constructed after 1 June 1985 but before 1 January 2002, Notice C from the Danish Register of Ships, as amended.*

- (iii) *If a ship has been granted an exemption in accordance with these regulations, this shall be noted on the Cargo Ship Safety Certificate and in the annexed file required under regulation 22.*
- (iv) *Certificates referred to in this regulation are issued or endorsed by the Administration or by any person or organisation duly authorised by it.*

Regulation 13 – Issue or endorsement of certificates by another Government

This regulation shall not apply to certificates issued in accordance with regulation 12-1.

A Contracting Government may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the requirements of the present regulations are complied with, shall issue or authorize the issue of certificates to the ship and, where appropriate, endorse or authorize the endorsement of certificates on the ship in accordance with the present regulations. Any certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the State the flag of which the ship is entitled to fly, and it shall have the same force and receive the same recognition as a certificate issued under regulation 12.

Regulation 14 – Duration and validity of certificates

This regulation shall not apply to certificates issued in accordance with regulation 12-1.

- (a) A Passenger Ship Safety Certificate shall be issued for a period not exceeding 12 months. A Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate and Cargo Ship Safety Radio Certificate shall be issued for a period specified by the Administration which shall not exceed five years. An Exemption Certificate shall not be valid for longer than the period of the certificate to which it refers.

A permit to carry passengers shall be valid for as long as the conditions for the use of the ship remain unchanged and are complied with. Furthermore, the validity shall be dependent upon compliance with the survey intervals stipulated in the Passenger Ship Safety Certificate.

A trading permit shall be valid for as long as the conditions for the use of the ship remain unchanged and are complied with. Furthermore, the validity shall be dependent upon compliance with the survey intervals stipulated in the Cargo Ship Safety Certificate.

- (b)
 - (i) notwithstanding the requirements of paragraph (a), when the renewal survey is completed within three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to:
 - (1) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate;
 - (2) for a cargo ship, a date not exceeding five years from the date of expiry of the existing certificate;
 - (ii) when the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to:
 - 1) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate;
 - 2) for a cargo ship, a date not exceeding five years from the date of completion of the renewal survey.

- (c) If a certificate other than a Passenger Ship Safety Certificate is issued for a period of less than five years, the Administration may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph (a), provided that the surveys referred to in regulations 8, 9 and 10 applicable when a certificate is issued for a period of 5 years are carried out as appropriate.
- (d) If a renewal survey has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the person or organization authorized by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.
- (e) If a ship at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No certificate shall be extended for a period longer than three months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be valid to:
 - (i) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate before the extension was granted;
 - (ii) for a cargo ship, a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.
- (f) A certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new certificate shall be valid to:
 - (i) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate before the extension was granted;
 - (ii) for a cargo ship, a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.
- (g) In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by paragraphs (b)(ii), (e) or (f). In these special circumstances, the new certificate shall be valid to:
 - (i) for a passenger ship, a date not exceeding 12 months from the date of completion of the renewal survey;
 - (ii) for a cargo ship, a date not exceeding five years from the date of completion of the renewal survey.
- (h) If an annual, intermediate or periodical survey is completed before the period specified in the relevant regulations then:
 - (i) the anniversary date shown on the relevant certificate shall be amended by endorsement to a date which shall not be more than three months later than the date on which the survey was completed;
 - (ii) the subsequent annual, intermediate or periodical survey required by the relevant regulations shall be completed at the intervals prescribed by these regulations using the new anniversary date;
 - (iii) the expiry date may remain unchanged provided one or more annual, intermediate or periodical surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by the relevant regulations are not exceeded.

- (i) A certificate issued under regulation 12 or 13 shall cease to be valid in any of the following cases:
 - (i) if the relevant surveys and inspections are not completed within the periods specified under regulations 7(a), 8(a), 9 (a) and 10(a);
 - (ii) if the certificate is not endorsed in accordance with the present regulations;
 - (iii) upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulation 11(a) and (b). In the case of a transfer between Contracting Governments, if requested within three months after the transfer has taken place, the Government of the State whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificates carried by the ship before a transfer and, if available, copies of the relevant survey reports.

Regulation 14-1 – Duration and validity of certificates in cargo ships with a gross tonnage of less than 500

This regulation shall apply to certificates issued in accordance with regulation 12-1 only.

- (a) *A trading permit shall be valid for as long as the conditions for the use of the ship remain unchanged and are complied with. Furthermore, the validity shall be dependent upon compliance with the survey intervals stipulated in the National Cargo Ship Safety Certificate.*
- (b) *A National Cargo Ship Safety Certificate shall be issued for a period not exceeding 5 years.*
- (c)
 - (i) *When a renewal survey has been carried out within 3 months before the expiry date of the existing certificate, the new certificate shall be valid from the day on which the renewal survey was completed and for not more than 5 years from the expiry date of the existing certificate.*
 - (ii) *When a renewal survey has been carried out after the expiry date of the existing certificate, the new certificate shall be valid from the day on which the renewal survey was completed and for not more than 5 years from the expiry date of the existing certificate.*
 - (iii) *When a renewal survey is carried out more than 3 months before the expiry date of the existing certificate, the new certificate shall be valid for not more than 5 years from the day on which the renewal survey was completed.*
- (d) *The Danish Maritime Authority may extend the validity of the certificate beyond the date of expiry in accordance with the provisions of regulation 14(c) to (h).*
- (e) *A certificate issued pursuant to regulation 12-1 shall cease to be valid in any of the following cases:*
 - (i) *if the relevant surveys and inspections are not carried out within the periods specified under regulations 8-1(a) and (b), 9-1(a), and 10-1(a);*
 - (ii) *upon transfer of the ship to the flag of another State.*

Regulation 15 – Forms of certificates and records of equipment

This regulation shall not apply to certificates issued in accordance with regulation 12-1.

The certificates and records of equipment shall be drawn up in the form corresponding to the models given in the appendix¹⁶⁾ to the present Convention (SOLAS 74). If the language used is neither English nor French, the text shall include a translation into one of these languages.¹⁷⁾

¹⁶⁾ Refer to appendix 1.

Regulation 15-1 – Form of certificates and records of equipment for cargo ships with a gross tonnage of less than 500

This regulation shall apply to certificates issued in accordance with regulation 12-1.

The certificates and the records of equipment shall be drawn up in a form corresponding to the models given in Appendix 2. The certificates shall be drawn up in English and may be provided with a Danish subtext.

Regulation 16 – Availability of certificates

The certificates issued under regulations 12 and 13 *and regulation 12-1* shall be readily available on board for examination at all times.

Regulation 17 – Acceptance of certificates

This regulation shall not apply to certificates issued in accordance with regulation 12-1.

Certificates issued under the authority of a Contracting Government shall be accepted by the other Contracting Governments for all purposes covered by the present Convention (*SOLAS 74*). They shall be regarded by the other Contracting Governments as having the same force as certificates issued by them.

Regulation 18 – Qualification of certificates

- (a) If in the course of a particular voyage a ship has on board a number of persons less than the total number stated in the Passenger Ship Safety Certificate and is in consequence, in accordance with the provisions of the present regulations, free to carry a smaller number of lifeboats and other life-saving appliances than that stated in the certificate, an annex may be issued by the Government, person or organization referred to in regulation 12 or 13 of this chapter.
- (b) This annex shall state that in the circumstances there is no infringement of the provisions of the present regulations. It shall be annexed to the certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall be valid only for the particular voyage for which it is issued.

Regulation 19 – Control¹⁸⁾

- (a) Every ship when in a port of another Contracting Government is subject to control by officers duly authorized by such Government in so far as this control is directed towards verifying that the certificates issued under regulation 12 or regulation 13 are valid.
- (b) Such certificates, if valid, shall be accepted unless there are clear grounds for believing that the condition of the ship or of its equipment does not correspond substantially with the particulars of any of the certificates or that the ship and its equipment are not in compliance with the provisions of regulations 11(a) and (b).
- (c) In the circumstances given in paragraph (b) or where a certificate has expired or ceased to be valid, the officer carrying out the control shall take steps to ensure that the ship shall not sail until it can proceed to sea or leave the port for the purpose of proceeding to the appropriate repair yard without danger to the ship or persons on board.

¹⁷⁾ Refer to resolution A.561(14) on translation of the text of certificates.

¹⁸⁾ Refer to the Procedures for port State control adopted by the Organization by resolution A.787(19), as amended by resolution A.882(21).

- (d) In the event of this control giving rise to an intervention of any kind, the officer carrying out the control shall forthwith inform, in writing, the Consul or, in his absence, the nearest diplomatic representative of the State whose flag the ship is entitled to fly of all the circumstances in which intervention was deemed necessary. In addition, nominated surveyors or recognized organizations responsible for the issue of the certificates shall also be notified. The facts concerning the intervention shall be reported to the Organization.
- (e) The port State authority concerned shall notify all relevant information about the ship to the authorities of the next port of call, in addition to parties mentioned in paragraph (d), if it is unable to take action as specified in paragraphs (c) and (d) or if the ship has been allowed to proceed to the next port of call.
- (f) When exercising control under this regulation all possible efforts shall be made to avoid a ship being unduly detained or delayed. If a ship is thereby unduly detained or delayed it shall be entitled to compensation for any loss or damage suffered.

Regulation 20 – Privileges

The privileges of the present Convention (*SOLAS 74*) may not be claimed in favour of any ship unless it holds appropriate valid certificates.

Part C – Casualties

Regulation 21 – Casualties

- (a) Each Administration undertakes to conduct an investigation of any casualty occurring to any of its ships subject to the provisions of the present Convention (*SOLAS 74*) when it judges that such an investigation may assist in determining what changes in the present regulations might be desirable¹⁹⁾.
- (b) Each Contracting Government undertakes to supply the Organization with pertinent information concerning the findings of such investigations. No reports or recommendations of the Organization based upon such information shall disclose the identity or nationality of the ships concerned or in any manner fix or imply responsibility upon any ship or person.

Part D – Miscellaneous items

Regulation 22 – Annexed file

*Any ship covered by these regulations shall be provided with an annexed file. A full annexed file shall be kept on board until it is attested by the Danish Maritime Authority in the new annexed file that all necessary information has been transferred from the full annexed file.*²⁰⁾

¹⁹⁾ Refer to the following resolution adopted by the Organization:

Resolution A.849(20): Code for the investigation of marine casualties and incidents, as amended by resolution A.884.(21),

Refer also to:

MSC/Circ.953 – MEPC/Circ.372: Reports on marine casualties and incidents. Revised harmonizing reporting procedures – Reports required under SOLAS regulation I/21 and MARPOL 73/78 articles 8 and 12, *and to Order no. 790 of 1 July 2006 on the investigation of marine casualties. Furthermore, reference is made to resolution MSC.255(84), “Adoption of the code of the international standards and recommended practices for a safety investigation into a marine casualty or marine incident (Casualty Investigation Code)”*.

²⁰⁾ *Where digital recording of inspections, tests and drills is used and where the requirement to record such information in the annexed file in such cases may lead to double recordings, the Danish Maritime Authority will accept a print of the mentioned recordings provided that such prints are kept in the annexed file.*

Regulation 23 – General safety

Adequate measures shall be taken to safeguard against accidents during normal operation of the ship so that while working or residing on board or while embarking or disembarking, as far as possible, no one is put at risk of coming to harm, except as a result of a lack of due care and attention.