

Translation: Only the Danish document has legal validity.

*Executive Order no. 1603 of 29/11/2024  
issued by the Danish Maritime Authority*

## **Executive Order on recognition of foreign certificates of competency for service on fishing vessels**

Pursuant to Section 9(6), Section 20(4) and (5), Section 24f(2), Section 25b(1) and (2), Section 25c and Section 27(3) of the act on the manning of ships, cf. Consolidated Act no. 74 of 17 January 2014, shall be laid down by authorisation pursuant to Section 1(1)(2) of Executive Order no. 261 of 23 March 2020 on the delegation of certain powers to the Danish Maritime Authority and on the right of appeal, etc.

### *Definitions and purpose*

**Section 1.** This Executive Order lays down the detailed rules for issuing a Danish STCW-F Convention endorsement (certificate of recognition) for foreign certificates of competency.

*Subsection 2.* STCW-F Convention is the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995.

*Subsection 3.* A certificate of recognition is a certificate issued by the Danish Maritime Authority bearing the STCW-F Convention endorsement in accordance with the provisions of the STCW-F Convention.

*Subsection 4.* For the purpose of this Executive Order, a foreign certificate is a valid certificate issued by a competent foreign authority of a country that is a party to the STCW-F Convention and which entitles the holder to serve as an officer on fishing vessels of that country. The certificate shall be issued in accordance with Regulations II/1, II/2, II/3, II/4, II/5 or II/6 of the STCW-F Convention in its up-to-date version.

### *Possession of a certificate of recognition*

**Section 2.** On fishing vessels with a length of 24 metres or more, the fishing skipper, officer, chief engineer and radio operator who do not hold a Danish certificate of competency must have a valid foreign certificate of competency accompanied by an STCW-F Convention endorsement issued by the Danish Maritime Authority, cf. Section 3.

### *Recognition of certificates of competency from EU and EEA countries*

**Section 3.** For persons holding a valid foreign certificate of competency issued by an EU or EEA country entitling them to serve as a fishing skipper, officer, chief engineer or radio operator on fishing vessels, the provisions of the Directive of the European Parliament and of the Council on the recognition of professional qualifications apply.

### *Issuing a certificate of recognition, etc.*

**Section 4.** Requests for the issuance of a certificate of recognition must be made using the Danish Maritime Authority's system for digital application for the issuance of recognition certificates.

*Subsection 2.* Requests for the issue of certificates of recognition for persons not covered by Section 3 shall be submitted by the company.

**Section 5.** Issuing a certificate of recognition requires that the following criteria are met as a minimum:

- 1) Evidence that the country issuing the certificate has fully implemented the STCW-F Convention.
- 2) The applicant shipping company has stated that the seafarer in question is employed on a fishing vessel registered in a Danish ship register.
- 3) The seafarer is in possession of a Danish health certificate for seafarers and fishermen that is valid for service on board.
- 4) The seafarer has provided the Danish Maritime Authority with proper identification and has presented documentation for a valid foreign certificate of competency.
- 5) Knowledge of Danish maritime legislation when issuing a certificate of recognition entitling the holder to serve as a fishing skipper, officer, chief engineer or radio operator is documented separately by taking a Danish Maritime Authority test or a company or institution authorised by it, or by having satisfactorily completed a course approved by the Danish Maritime Authority.

*Subsection 2.* In special cases, the Danish Maritime Authority may set additional requirements for the seafarer in order to ensure that the seafarer fulfils the requirements for training and competencies.

*Subsection 3.* The requirement for completion of a test or course in Subsection (1)(5) may be waived in exceptional cases when sufficient knowledge of Danish maritime legislation is documented in another way.

**Section 6.** A certificate of recognition is issued with a maximum validity of five years. However, the validity period cannot exceed the expiry date of the foreign certificate being recognised.

*Subsection 2.* A foreign certificate of recognition cannot be used as a basis for issuing a Danish recognition certificate.

*Subsection 3.* The certificate of recognition may be issued for a limited period or only for service on one or more specific ships.

*Subsection 4.* The Danish Maritime Authority may sign certificates of recognition in accordance with this Executive Order with an electronically inserted facsimile signature.

#### *Withdrawal of a certificate of recognition*

**Section 7.** The Danish Maritime Authority may withdraw a certificate of recognition if the holder has posed a direct threat to life, property or the environment by sailing or other service on board, including violations of the Danish Act on Safety at Sea, or if, due to the holder's mental or physical condition, it is deemed irresponsible to allow the holder to continue to carry out the activities to which the certificate entitles them.

*Subsection 2.* The shipping company is required to check the validity of the seafarer's certificate of recognition upon recruitment and subsequent signing on.

*Subsection 3.* When a decision has been made to withdraw a certificate of recognition, the country issuing the certificate is notified of the decision by the Danish Maritime Authority.

*Subsection 4.* The holder of a certificate of recognition may appeal the Danish Maritime Authority's decision to withdraw the recognition certificate to the Danish Shipping Tribunal within four weeks of the decision. The Danish Shipping Tribunal may waive the deadline if there are special reasons for doing so.

#### *Payment*

**Section 8.** Persons not covered by Section 3 must pay a fee of DKK 855 when applying for a Danish certificate of recognition under this Executive Order.

*Subsection 2.* An application cannot be processed until payment has been made to the Danish Maritime Authority in accordance with Subsection 1. *Subsection 3.* The Danish Maritime Authority may charge a separate fee for tests taken before the Danish Maritime Authority in accordance with Section 5(1)(5) and Section 5(2). The amount is determined by the Danish Maritime Authority based on the scope of the test.

#### *Penalty provisions*

**Section 9.** Violation of Section 2 and Section 7(2) of this Executive Order is punishable by a fine.

*Subsection 2.* Criminal liability may be imposed on companies or other legal persons in accordance with the rules laid down in Chapter 5 of the Criminal Code.

*Subsection 3.* For the purpose of imposing criminal liability under Subsection 2, persons employed to perform work on board the ship by persons other than the shipowner shall also be deemed to be associated with the shipowner.

*Entry into force, etc.*

**Section 10.** This Executive Order shall enter into force on 1 January 2025.

**Section 11.** The Executive Order shall not apply to Greenland.

*The Danish Maritime Authority, 29 November 2024*

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