

Translation. Only the Danish document has legal validity.

Guidance no. 9680 of 16 December 2010 issued by the Danish Maritime Authority

Guidance on vessel traffic services (VTS) in Danish waters

Purpose

1. The purpose of this guidance is to lay down the procedural, equipment and training guidelines according to which vessel traffic services (VTS) shall be operated in Denmark.

Background

2. It follows from section 6(1)(iii) of the act on safety at sea (*lov om sikkerhed til søs*) that the Minister of Economic and Business Affairs is authorised to take measures and lay down regulations on reporting systems and routing systems for ensuring navigation, including ship traffic services. Furthermore, the Minister of Economic and Business Affairs may, pursuant to section 8a and following negotiations with the Minister of Defence, lay down regulations on the monitoring of Danish waters and ships' calls at ports.

2.2 EU law

Pursuant to Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring system (the monitoring directive), as amended, a number of obligations are imposed on the member States in connection with the operation of mandatory ship reporting and routing systems as well as vessel traffic services in their waters.

According to article 5 of the monitoring directive, the member States shall monitor and ensure that ships entering areas covered by IMO approved mandatory vessel ship reporting systems comply with the regulations of the system. Similarly, the member States shall, pursuant to articles 7 and 8, ensure that ships entering areas covered by IMO approved ship's routing systems or vessel traffic services use and comply with the guidelines and requirements laid down for these systems. IMO resolution A.432(XI) on contraventions of the International Regulations for Preventing Collisions at Sea provides guidelines for the reporting of contraventions.

Furthermore, it follows from article 9(3) of the directive that coastal stations (including VTS) shall have sufficient and properly qualified staff available as well as appropriate means of communication and ship monitoring as well as that these services and systems are operated in accordance with the relevant IMO guidelines.

These provisions have been implemented by means of order no. 1026 of 26 August 2010 on technical regulation on a vessel traffic monitoring and information system in Danish waters and ports.

2.3 Vessel traffic services (VTS) in Denmark

At present, the vessel traffic services Great Belt VTS and Sound VTS are found in Denmark, which operate the established ship reporting systems in the areas concerned. The ship reporting systems have been approved by the IMO and, thus, participation is mandatory for the ships concerned. On the basis of the ship reporting systems approved by the IMO, the Danish Maritime Authority shall lay down the Danish regulations on ships' reporting obligations. As regards the Great Belt, order

no. 488 of 31 May 2007 on the ship reporting system BELTREP operated by the Great Belt VTS applies. As regards the Sound, an order on the ship reporting system SOUNDREP operated by the Sound VTS will also be issued applicable from 1 September 2011.

Definitions

3. For the purposes of this guidance, the following definitions shall apply:
 - 1) “Competent authority”: The authority that wholly or partly lays down regulations on vessel traffic services and reporting systems (also termed ship reporting systems).
 - 2) “VTS authority”: The authority responsible for maintaining and operating a ship reporting system or a vessel traffic service pursuant to this guidance.
 - 3) “Vessel traffic service”: A service designed to improve the safety and efficiency of vessel traffic and to protect the environment, which has the capability to interact with the ship traffic and to contribute with information and guidance when solving specific traffic situations.
 - 4) “VTS centre”: A centre from where the VTS authority operates a ship reporting system or a vessel traffic service. Sectors in a ship reporting system or a vessel traffic service may have their own VTS centre.
 - 5) “VTS area”: The delimited, formally declared operative service area of a VTS. A VTS area may be subdivided into sectors.
 - 6) “VTS operator (VTSO)”: A trained and qualified person performing tasks in a VTS centre.
 - 7) “Ship reporting system, SRS”: A system intended to collect and exchange information in an area. Such information may be used for providing knowledge about the traffic in the area and for contributing to safety of navigation, including for search and rescue purposes, vessel traffic services and prevention of pollution risks.
 - 8) “Coastal station”: Means for the purposes of the monitoring directive, among other things, a vessel traffic service (VTS). For the purposes of this guidance, a coastal station means a vessel traffic service (VTS) responsible for a mandatory ship reporting system approved by the IMO if such a system has been established in connection with the vessel traffic service (VTS).
 - 9) “Ship’s routing system”: A system of one or more routing measures aimed at reducing the risk of casualties; such as traffic separation schemes, two-way routes, recommended tracks, areas to be avoided, inshore traffic zones, roundabouts, precautionary areas and deep-water routes (ship’s routing systems are also termed routing systems).
 - 10) “IMO”: United Nations’ International Maritime Organization.
 - 11) “IALA”: International Association of Marine Aids to Navigation and Lighthouse Authorities.

Organisation of vessel traffic services (VTS) in Denmark

4. In Denmark, the Danish Maritime Authority lays down regulations on vessel traffic services, determines service levels and designates VTS areas, etc. (i.e. acts as the “competent authority” in accordance with the IMO guidelines). The Admiral Danish Fleet operates the VTS in the Great Belt, while the Danish Maritime Safety Agency operates the VTS in the Sound (i.e. these authorities act as the “VTS authority” in accordance with the IMO guidelines).

General obligations

5. The VTS authority operates the vessel traffic service (VTS). The operation shall be arranged so as to meet the operational requirements of articles 5, 7, 8, 9, 14, 16 and 17 of the monitoring directive. The organisation shall also be arranged so as to meet the guidelines adopted by the IMO on VTS services,¹ including references to the IALA guidelines.
6. The VTS authorities shall:
 - .1 Cooperate with other authorities about the investigation of marine accidents;
 - .2 Report incidents observed in the VTS area considered as contraventions, cf. articles 5, 7 and 8 of the monitoring directive, to the Danish Maritime Authority within 30 days.
 - .2.1 The reporting to the Danish Maritime Authority shall be made in accordance with the guidelines stipulated in IMO resolution A.432(XI) and shall, in addition to the principles of the table of the resolution, contain an explanation of the sequence of events as well as a number of chartlets or screen prints over a sufficient lapse of time with a view to identifying and documenting the contravention.
 - .2.2 Only contraventions committed in Danish territorial waters or in the Danish exclusive economic zone (EEZ) shall be reported.
 - .3 Report to the Danish Maritime Authority incidents in the VTS area that, to a considerable extent, deviate from the normal picture or that could have resulted in an accident (near-misses). A number of screen prints documenting the incident shall be enclosed.
7. The VTS authority shall, through the establishment of procedures and maintenance of equipment, ensure that the equipment necessary to maintain communication with and monitoring of the ship traffic is reliable 24 hours a day.
 - .1 The VTS authority shall, in this connection, lay down procedures ensuring that technical defects in the equipment are rectified as soon as possible within the framework laid down in the safety management system of the VTS authority.
 - .2 If technical defects in the equipment partly or wholly prevents the VTS authority from carrying out services, this shall immediately be reported to the shipping through the transmission of navigational warnings according to the procedures of the safety management system.
8. The VTS authority shall ensure that the ship traffic is constantly monitored from one or more work stations for each sector and that all the services published are available when the ship reporting system or the vessel traffic service is in operation. Furthermore, a continuous listening watch shall be maintained on the designated VHF radio frequencies used as well as watch at other means of communication than VHF if they form part of the service declared.
9. The VTS authority shall record and store video data of the traffic picture in the VTS area with all the relevant information necessary to identify and document incidents. Furthermore, the VTS authority shall record and store the VHF communication. The information shall be stored for at least 90 days and shall, upon request, be made available to the Danish Maritime

¹ The IMO SOLAS Convention, regulation V/1 on ship reporting systems and regulation V/12 on vessel traffic services, IMO resolution MSC.43(64), Guidelines for Criteria for Ship Reporting Systems, as amended, IMO resolution A.851(20), General Principles for Ship Reporting Systems, IMO resolution A.857(20), Guidelines for Vessel Traffic Services, IMO resolution A.918(22), IMO Standard Marine Communication Phrases, IALA VTS Manual.

Authority, the Danish Accident Investigation Board or the police. The period of 90 days may be reduced to at least 30 days if reports of contraventions pursuant to item 6.2 and incidents pursuant to item 6.3 are submitted to the Danish Maritime Authority no later than after 15 days.

Safety management system

10. A VTS authority shall establish a safety management system ensuring that the purpose of the ship reporting system or the vessel traffic system is met. The safety management system shall observe recognised standards of quality management systems and shall contain at least the following:
 - .1 Description of the purpose, aims and declared services of the ship reporting system;
 - .2 description of the organisation and distribution of responsibilities of the VTS authority;
 - .3 procedures or process descriptions for all tasks considered important to meet the purpose of the ship reporting system or the vessel traffic service;
 - .4 description of the personnel's education and training;
 - .5 procedures for evaluating the efficiency of the quality management system and meeting of aims; and
 - .6 relevant recordings for documenting meeting of purpose, aims and any deviations.
11. The procedures or the process descriptions shall include instructions for the VTS operators on communication with ships in the VTS area, considering the guidelines developed by the IMO and the IALA, and shall include all conditions of importance to maintain efficient and safe communication with the ships on the basis of the declared service(s) and shall cover, among other things:
 - .1 general standards for calls and the receipt of calls from ships;
 - .2 procedures in cases where ships request navigational assistance according to the level for which the VTS unit is approved, cf. the guidelines from the IMO and the IALA;
 - .3 procedures for calls when ships may, through their behaviour, present an imminent danger to other ships, grounding, collision with bridges or other structures or damages to the marine environment;
 - .4 procedures for communication with, for example, pilots;
 - .5 conditions of and access to fairways, channels, etc. and status on aids to navigation;
 - .6 a danger threatening a ship; and
 - .7 language of communication.
12. The VTS authority shall, at least once annually, evaluate compliance with the safety management system as well as its efficiency. At least every fifth year, the evaluation shall be carried out by an organisation independent of the VTS authority. No later than two weeks after their drafting, evaluations shall be forwarded to the Danish Maritime Authority.

Training

13. The VTS authority shall develop and launch a training plan for its VTS operators according to the guidelines and training goals laid down by the IMO referring to the IALA recommendation hereon² and regarding the service level(s) declared for the vessel traffic service (VTS).
14. The VTS authority shall ensure that the VTS operator has an extensive knowledge about and competences within all conditions relating to ships of importance when assessing the ships' safe navigation, their compliance with the navigational regulations in force, the ships' individual influence on navigational safety in the area as well as their potential harm to the marine environment. This covers, among other things, knowledge about ship types, manoeuvring properties, propulsion, stability, radar knowledge, communication, meteorological conditions, cargo types and dangerous goods, reporting obligations, navigational regulations, including the international regulations for preventing collisions at sea as well as English competences at operational level.

Passing on information on certain ships and dangerous incidents

15. The VTS authority shall report ships that present a risk to safety at sea or the marine environment or that contravene the legislation in force to the relevant authority. In this connection, the VTS authority shall report passing ships to the Danish Maritime Authority which, according to article 16 of the port State control directive,³ are prohibited from calling at the ports of member States or about which an EU member State has reported information in accordance with article 16 or article 17 of the monitoring directive that present a special risk to shipping.

Danish Maritime Authority, 16 December 2010
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² IMO MSC/Circ.1065 on IALA Standards for Training and Certification of Vessel Traffic Service (VTS) personnel (latest IALA edition 2): IALA Recommendation V-103 on Standards for Training and Certification of VTS Personnel, IALA Model Course V-103/1 VTS Operator Training, IALA Model Course V-103/2 VTS Supervisor Training, IALA Model Course V-103/3 VTS On-the-Job Training, IALA Model Course V-103/4 On-the-Job Training Instructor.

³ Directive 2009/16/EC of the European Parliament and of the Council on port State control.