

**Translation: Only the Danish document has legal validity**

**Notice from the Danish Maritime Authority L –  
the Construction and Equipment, etc. of Recreational Craft**

**Chapter II  
Design, construction and marketing  
of 1 October 2006**

Regulation 1 – Application .....	2
Regulation 2 – Design, construction and marketing .....	3

## **Regulation 1 – Application**

- 1 The provisions of this chapter shall apply to new recreational craft with a hull length of 2.5 m or more, but below 24.0 m marketed or put into service on or after 1 January 2005, cf. however subsections 2 and 3.
- 2 Recreational craft with a hull length of or above 2.5 m, but of not more than 24.0 m marketed or put into service on or after 16 June 1998, but before 1 January 2005 shall be designed, constructed and marketed in accordance with the regulations in force on the date when the recreational craft was marketed or put into service, i.e. in accordance with the provisions of technical regulation no. 11 of 15 December 1995 issued by the Danish Maritime Authority and in force then.
- 3 Until 31 December 2005, the marketing or putting into service of recreational craft, partly completed boats and components complying with the provisions stipulated in subsection 2 shall be permitted.
- 4 The provisions of this technical regulation shall apply to water scooters only from the first marketing or putting into service after the entry into force date of the recreational craft Directive on 1 January 2005.
- 5 The fact that the same boat may be used for hiring out and for recreational boating training shall not mean that it is exempted from the application of this chapter if marketed for recreational purposes.
- 6 This chapter does not contain any provisions limiting the use of recreational craft when they have been taken into use.
- 7 Regardless of the provisions of regulations 1.1-1.6, the following boats shall not be covered by this chapter:
  - .1 craft intended solely for racing, including rowing racing boats and training rowing boats, labelled as such by the manufacturer;
  - .2 canoes and kayaks, gondolas and pedalos;
  - .3 sailing surfboards;
  - .4 surfboards, including powered surfboards;
  - .5 original historical craft and individual replicas thereof designed before 1950, built predominantly with the original materials and labelled as such by the manufacturer;
  - .6 experimental craft, provided that they are not subsequently placed on the Community market;
  - .7 craft built for own use, provided that they are not subsequently placed on the Community market during a period of five years;
  - .8 craft specifically intended to be crewed and to carry passengers for commercial purposes, without prejudice to regulation 1.2, in particular those defined in Council Directive 82/714/EEC of 4 October 1982 laying down technical requirements for inland waterway vessels, regardless of the number of passengers;
  - .9 submersibles;
  - .10 air cushion vehicles;
  - .11 hydrofoils;
  - .12 external combustion steam powered craft, fuelled by coal, coke, wood, oil or gas.

## **Regulation 2 – Design, construction and marketing**

- 1 The recreational craft Directive<sup>1</sup> has been printed in appendix 1. Unless expressly provided otherwise, its provisions on the design, construction and marketing shall apply to recreational craft, partly completed boats, water scooters and components used for recreational craft covered by this chapter.

### **Remarks to this chapter**

#### **The implementation of amendments to the recreational craft Directive**

- 1 The first version of the recreational craft Directive was implemented by the Danish Maritime Authority in 1995. It covered primarily new recreational craft, which for the purposes of this set of regulations means recreational craft marketed or put into service on or after 16 June 1998.
- 2 A Directive amending the text of the original Directive has been adopted. The Danish Maritime Authority has incorporated the amendments into the original text and printed the entire text in appendix 1. The provisions of regulation 2 of this chapter implement the amendments that concern the design, construction and marketing of recreational craft. The statutory basis is the Act on Safety at Sea<sup>2</sup>. The amended text shall apply to recreational craft marketed or put into service on or after 1 January 2005. Until 31 December 2005, the provisions in force until now may be used instead.
- 3 The amending Directive contains provisions on exhaust and noise emissions, as well. These provisions are administered by the Danish Environmental Protection Agency and are transposed into Danish law by means of an Order with its statutory basis in the Act on the Marine Environment. Out of consideration for the users, the provisions of the consolidated text are printed in appendix 1. They have merely been marked by an **M** in the margin to draw attention to this special administrative condition.
- 4 When the Danish Maritime Authority interprets the recreational craft Directive, it uses, among other things, a number of interpretations drawn up and updated regularly by the Commission. The most recent version of these interpretations is available from the homepage of the Danish Maritime Authority: <http://www.sofartsstyrelsen.dk>.

#### **Important safety requirements and CE-marking**

- 1 Recreational craft, partly completed boats, water scooters and components covered by the recreational craft Directive shall comply with the safety requirements of the Directive when marketed or put into service. In addition, they shall, in accordance with the provisions of the Directive, be provided with a CE mark of compliance that is visible, eligible and cannot be removed. In accordance with the above interpretations, marketing shall also include import of used recreational craft from third countries.

#### **Assessment of compliance**

- 1 Before recreational craft, partly completed boats, water scooters and components covered by the recreational craft Directive are produced or marketed, the manufacturer or his representative established in the Community shall observe certain procedures. The procedures are described in the recreational craft Directive and usually involve an assessment of compliance made by a so-called notified body.

---

<sup>1</sup> Directive 94/25/EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft, as amended by Directive 2003/44/EC of the European Parliament and of the Council of 16 June 2003.

<sup>2</sup> Consolidated Act no. 627 of 26 July 2002, Act on Safety at Sea, as amended.

### **Notified bodies**

- 1 The member states shall, in compliance with the provisions of the recreational craft Directive, designate notified bodies to make assessments of compliance.
- 2 The Commission shall, in the Official Journal of the European Communities, publish a list of the notified bodies as well as their identification number and the tasks that they are authorized to perform. The most recent version of this list is available from the homepage of the Danish Maritime Authority: <http://www.sofartsstyrelsen.dk> and in English here: <http://www.rsg.be>.