

Translation. Only the Danish document has legal validity.

Danish Maritime Authority Order no. 110 of 19 February 2003

Order on subsidies for maritime training institutions

In pursuance of sections 8 and 10 of Act no. 226 of 22 April 2002 on maritime training programmes, the following provisions are laid down:

General

Section 1. This Order shall apply to training institutions approved pursuant to section 4 of the Act on maritime training programmes that receive subsidies if the Danish Maritime Authority finds that there is a need for the training in question, cf. sections 5 and 6 of the Act.

Subsection 2. The regulations of the institutions shall be approved by the Danish Maritime Authority.

Subsection 3. The regulations of the institutions may have been approved under another ministry than the Ministry of Economic and Business Affairs if the main part of the institution's activities is supervised pursuant to other legislation than the Act on maritime training programmes. For these institutions, the Danish Maritime Authority may derogate from the provisions of section 2 and section 5(2) and (3).

Section 2. The institutions shall use the student administration system used by the Danish Maritime Authority.

Section 3. The provisions of the Public Administration Act on incapacity shall be used about the board's and the daily head's decisions.

Section 4. Fixed assets, etc. acquired with State subsidies pursuant to the Act on maritime training programmes may not be sold, pledged, mortgaged or used for purposes other than what was implied when acquired without the approval of the Danish Maritime Authority.

Section 5. For institutions that are subsidized pursuant to section 5 of the Act on maritime training programmes the regulations stipulated in subsections 2 to 4 shall apply:

Subsection 2. The institutions, except for training ships, shall be covered by the State's self-insurance scheme, cf. the Circular of the Ministry of Finance on the State's self-insurance scheme.

Subsection 3. As regards hired staff, the institutions shall observe the provisions on wage and employment conditions agreed with or laid down by the Ministry of Finance, including the provisions on pensions.

Subsection 4. The institutions shall observe the regulations on equal consideration of offers in connection with public procurement, including the EU public procurement regulations and the Circular on procurement and contracting out of public operation and construction assignments issued by the Ministry of Finance.

Subsidies

Section 6. Within their purpose, the institutions manage the use of State subsidies and other revenues.

Subsection 2. The Danish Maritime Authority may make the payment of subsidies for a training sequence conditional upon the institution offering the training programmes and courses necessary or mandatory to complete a training programme or to perform the duties for which the training programme qualifies.

Section 7. The institutions shall make the following reports on student activity, admission figures and quality index for meeting performance objectives:

- 1) 1 November: Student full time equivalent for the next financial year.
- 2) 15 March: Student full time equivalent for the financial year as of 1 March.
- 3) 1 October: Student full time equivalent as of 1 March and 15 September.
- 4) 15 January: Admission figures for the spring term.
- 5) 15 August: Admission figures for the autumn term.
- 6) 15 February: Quality index for the next financial year.

Subsection 2. Reports on student activity and the rates stipulated in the Annual Budget shall form the basis of the payment of subsidies on account and the adjustment of subsidies on account.

Subsection 3. Basic subsidies shall be paid in advance for every financial year.

Subsection 4. Taximeter funding shall be paid in advance on account on a monthly basis.

Subsection 5. For fishing training institutions the Danish Maritime Authority shall lay down guidelines for the reporting of student activity as well as the calculation and payment of subsidies within the established frame on the Annual Budget.

Subsection 6. A student full time equivalent is calculated as one full time student within the prescribed period of study for 40 weeks, cf. however subsection 7.

Subsection 7. For training programmes where the theoretical part is prescribed for 3 terms or more, a student exceeding the prescribed period of study may lead to extra subsidies corresponding to no more than 1 term.

Subsection 8. Student full time equivalents shall be made up as of 1 March and 15 September, cf. however subsection 9.

Subsection 9. For study sequences and courses of up to 6 weeks' duration, student full time equivalents shall be made up on a weekly basis. The day of counting shall be the last workday.

Subsection 10. The institutions shall record the quality of the training programme in the form of a quality index. Each individual institution shall be informed of the parameters and performance objectives of the quality index in accordance with guidelines determined by the Danish Maritime Authority.

Section 8. Subsidies shall not be granted for students who are insured or not insured unemployed with a personal action of educational plan.

Section 9. The Danish Maritime Authority may, on the basis of a special appropriation on the Annual Budget, subsidize developmental and experimental activities pursuant to section 5(2) of the Act on maritime training programmes after the conclusion of an agreement to this effect.

Section 10. Subsidies may, in accordance with a decision made by the Danish Maritime Authority, be adjusted by adjusting the subsidies in the subsequent financial year, cf. section 7 of the Act on maritime training programmes.

Accounting and auditing

Section 11. The accounting year of the institutions shall be the financial year. At the end of the financial year, annual accounts shall be drawn up, including an annual report, a profit and loss account and a balance sheet. The accounts shall be presented in accordance with the Act on annual accounts, cf. however section 12 on auditing.

Subsection 2. The institutions shall observe the guidelines of the Danish Maritime Authority on the presentation of annual accounts, including draw up a separate profit and loss account for the business-related activities of the institution.

Subsection 3. No later than 6 months after the end of the accounting year, the institutions shall forward their annual accounts to the Danish Maritime Authority.

Subsection 4. The institutions shall draw up institutional instructions in accordance with the regulation hereon laid down by the Ministry of Finance at any time. The instructions shall be approved by the Danish Maritime Authority.

Section 12. The accounts of the institutions shall be audited by the Auditor-General of Denmark in accordance with section 2 of the Act on the auditing of the State's accounts, etc.

Entry into force, repeal, etc.

Section 13. This Order shall enter into force on 1 March 2003.

Subsection 2. Sections 4-12 and section 13(1-3) of Order no. 217 of 29 March 2000 on the approval of and state subsidies for private maritime training institutions, skipper training institutions and fishing training institutions, as amended by Order no. 1104 of 13 September 2000, shall be repealed.

Danish Maritime Authority, 19 February 2003
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