

Translation. Only the Danish document has legal validity.

Order no. 1359 of 15 December 2009 issued by the Danish Maritime Authority

**Order on technical regulation on the performance of certain tasks
pursuant to the Act on Safety at Sea
on behalf of the Danish Maritime Authority, etc.¹**

In pursuance of section 22(1) and (2) and section 32(8) of the Act on Safety at Sea, cf. Consolidated Act no. 903 of 12 July 2007, and by authority, the following provisions are laid down:

Purpose

Section 1. This Order lays down application and approval procedures of companies or individuals requesting approval to perform certain tasks on behalf of the Danish Maritime Authority.

Application

Section 2. This Order covers the following tasks that companies or individuals may perform on behalf of the Danish Maritime Authority pursuant to the Act or regulations issued pursuant to the Act:

- 1) Annual check of fire-extinguishing systems using mixed atmospheric gases in engine spaces in ships.
- 2) Check of the CO₂ quantity in high-pressure CO₂ systems on ships and inspection of these systems.
- 3) Inclining tests and lightweight calculations on new-built passenger ships, new-built cargo ships with a gross tonnage below 500, new-built fishing vessels, new-built commercial vessels with a length below 15 metres as well as in connection with periodic stability control on passenger ships every five years, periodic stability control on fishing vessels every ten years, periodic stability control on commercial vessels below 15 metres constructed in or after 2001 every ten years, periodic stability control on traditional ships holding a permit to carry passengers every five years as well as in case of alterations of the above-mentioned ships.
- 4) Noise measurements on ships.
- 5) Thickness measurements using ultrasound on un-classed ships.
- 6) Issue of declarations of control of leak stability calculations for ships.
- 7) Annual inspections of fixed fire-extinguishing systems using aerosols as extinguishants.
- 8) Surveys of the outside bottom of laid-up fishing vessels.
- 9) Electronic testing of LRIT equipment.
- 10) Confirmation that the service station's arrangement and working procedures are in accordance with IMO Resolution A.693(17).
- 11) Performance of inspection and approval of the design of floating houses.

¹ This Order contains provisions implementing parts of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

- 12) Design, calculation, testing and certification of lifting appliances and loose gear or a limited part hereof.
- 13) Surveys in connection with the operation and issue of approval certificates for passenger lifts on ships.
- 14) Radio surveys on fishing vessels as well as on cargo ships below 300 tonnes in Denmark and Greenland.
- 15) Control measures pursuant to MARPOL, Annex II.
- 16) Pressure-testing of tanks on unclassified ships.
- 17) Pressure-testing of pressure vessels on unclassified ships.
- 18) Certification of cargo hold drawings or descriptions and documents indicating the calibration of tanks for fishing vessels above 17 metres.
- 19) Insulation measurements of electrical systems on unclassified ships.
- 20) Periodic inspection of offshore containers and lifting appliances.
- 21) Measurement of ships.

Subsection 2. The Danish Maritime Authority shall lay down more detailed qualification requirements that shall be met in order to apply for permission to perform tasks as stipulated in subsection 1 on behalf of the Danish Maritime Authority, including any requirement for quality management.

Application and administrative procedure

Section 3. Applications for permission to perform tasks as stipulated in section 2 may be submitted to the Danish Maritime Authority.

Section 4. The Danish Maritime Authority shall make decisions on the approval of the above-mentioned companies or individuals no later than four weeks after the receipt of the application and all the documents required, cf. however subsection 2.

Subsection 2. The time-limit stipulated in subsection 1 may be extended once if the complexity of the case so requires. The Danish Maritime Authority shall state a reason for the extension and for its duration and shall inform the applicant hereof before the expiry of the time-limit stipulated in subsection 1.

Subsection 3. If the Danish Maritime Authority does not answer the applicant within the time-limits stipulated in subsections 1 and 2, the applicant may consider the approval granted.

Section 5. When the Danish Maritime Authority receives an application for approval, the Danish Maritime Authority shall forward a confirmation of receipt to the applicant containing the following information:

- 1) the time-limit of the case consideration;
- 2) that the applicant may consider the approval granted if the Danish Maritime Authority does not provide an answer before the expiry of the time-limit set for the consideration of the case; and
- 3) access to appeal.

Information obligation

Section 6. The approved company or individual shall inform the service recipient about the Danish Maritime Authority's contact details.

Supervision

Section 7. The Danish Maritime Authority shall supervise the approved companies or individuals as regards the maintenance of the approval.

Subsection 2. The Danish Maritime Authority may withdraw an approval if the conditions or other terms of the approval are no longer met.

Penalty and entry into force

Section 8. Contraventions of section 6 shall be liable to punishment by fine unless more severe punishment is incurred under other legislation.

Subsection 2. Companies etc. (legal personalities) may be liable to punishment according to the provisions of chapter 5 of the Penal Code.

Section 9. This Order shall enter into force on 28 December 2009.

Section 10. This Order shall not apply in Greenland.

Danish Maritime Authority, 15 December 2009

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