

**Translation: Only the Danish version is authentic**

*The Danish Maritime Authority's Technical Regulation no. 10 of 18 August 2000*

**Technical regulation on the arrangement of passenger ships as regards the access of disabled passengers<sup>1</sup>**

In pursuance of section 1(2), section 3, section 17(5) and section 34 of the Act on Safety at Sea, cf. consolidated act no. 554 of 21 June 2000, and in pursuance of Section 1(2), Section 2(5), Section 11(2) and Section 28 of Act no. 98 of 12 March 1980 on Ship Safety, etc. as amended, after consultation with the regional government of the Faroe Islands and the Greenland Home Rule and on authority of the Minister of Economic and Business Affairs, the following provisions are laid down:

**Section 1.** This technical regulation shall apply to passenger ships the keel of which is laid on or after 1 October 2000.

*Subsection 2.* For the purposes of this technical regulation, "passenger ship" shall mean a ship carrying more than 12 passengers, including passenger ships engaged on regular service (ferries).

**Section 2.** The passenger facilities of passenger ships shall, insofar as possible, be accessible to persons in wheel chairs, and appropriate consideration shall be paid to disabled persons when arranging and operating the ship.

*Subsection 2.* At least one of the toilets on board shall be suitable for and accessible to persons in wheel chairs.<sup>2</sup> Such toilets may, for example, be located separately and be intended for both sexes. If the toilets are located separately, reference shall be made to them at the general toilets.

**Section 3.** Ferries engaged on short crossings may be exempted from compliance with the requirements of Section 2(2) if toilets suitable for persons in wheel chairs are available ashore at the ferry berths that the ship calls at.

*Subsection 2.* If special conditions prevail, the Danish Maritime Authority may accept alternative arrangements on special conditions or completely exempt a ship from compliance with the requirements stipulated in Section 2(2).

**Section 4.** Contraventions of Section 2 shall be punishable by fine or simple detention.

*Subsection 2.* Companies, etc. (legal personalities) may be liable to punishment under the rules of the Penal Code, chapter 5.

**Section 5.** This technical regulation shall enter into force on 1 October 2000.

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<sup>1</sup> This technical regulation has been notified in draft form in accordance with European Parliament and Council Directive 98/34/EC (the information procedure directive), as amended most recently by Directive 98/48/EC.

<sup>2</sup> Guidelines on the arrangement of toilets for persons in wheel chairs are found in IMO MSC/circ.735, "Recommendation on the Design and Operation of Passenger Ships to Respond to Elderly and Disabled Persons' Needs".

## **Remarks to the technical regulation on the arrangement of passenger ships to meet the needs of disabled passengers**

The technical regulation constitutes a first step towards more detailed rules on the arrangement of passenger ships that are user friendly to disabled persons. Until such detailed rules have been passed, the Danish Maritime Authority recommends:

1. that attention be paid to the special problems that physically-handicapped persons meet when being carried by ferries and ships;
2. that suitable facilities for disabled persons be arranged in connection with the construction of new ferries and passenger ships considering the ship's arrangement, crossing, etc.; and
3. that an agreement be made with the organisations representing disabled persons about the assistance that the crew should offer.

Furthermore, attention is drawn to the guidelines on arrangements, etc. that are user friendly to disabled persons in MSC/Circ.735, "Recommendation on the Design and Operation of Passenger Ships to Respond to Elderly and Disabled Persons' Needs" issued by the International Maritime Organization (IMO).

The Danish Maritime Authority draws the readers' attention to the possibility of getting advice on arrangements that are user friendly to disabled persons and the accessibility in ferries from:

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