

Translation. Only the Danish document has legal validity.

Technical regulation no. 6 of 13 September 2006 issued by the Danish Maritime Authority

Technical regulation on enhancing the security of ships engaged on domestic voyages

In pursuance of section 1, section 3, item 4, section 28 and section 32 (4) of the Act on Safety at Sea, cf. Consolidated Act no. 627 of 26 July 2002, as amended by Act no. 1231 of 27 December 2003 and by authority of the Danish Minister of Economic and Business Affairs, the following provisions are laid down:

Section 1. This regulation shall apply to the following ships:

- 1) passenger ships engaged on regular services approved for carrying more than ten passengers and crossing the international transit route "Route T";
- 2) other passenger ships engaged on voyages between Danish ports approved for carrying more than 500 passengers;
- 3) cargo ships engaged on voyages between Danish ports with a gross tonnage above 500; and
- 4) shipping companies for the ships mentioned in items 1)-3).

Subsection 2. In case of doubt, the Danish Maritime Authority shall decide whether a shipping company or a domestic ferry service is covered by this regulation.

Section 2. Shipping companies and ships covered by section 1 shall comply with the provisions of Regulation (EC) no. 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security.

Subsection 2. Where special conditions apply, the Danish Maritime Authority may determine, for individual shipping companies or individual ships, that the provisions of the regulation shall be complied with in part.

Section 3. Contraventions of the provisions of section 2 shall be liable to punishment by fine or imprisonment for a period not exceeding one year.

Subsection 2. The punishment may be increased to imprisonment for a period not exceeding 2 years if

- 1) the contravention has resulted in damage to life or health, or risk of such damage;
- 2) an injunction or order has previously been issued in connection with the same or equivalent situations; or
- 3) the contravention has given or has been intended to give financial benefits to the transgressor or others.

Subsection 3. It shall be considered especially aggravating circumstances if the contravention has resulted in damage to the life or health, or risk of such damage, to young persons below the age of 18, cf. subsection 2, item 1.

Subsection 4. If the benefit obtained through the contravention is not confiscated, the size of the financial benefit obtained or intended shall be taken into account when determining the fine, including supplementary fines.

Subsection 5. Companies, etc. (legal persons) may incur criminal liability according to the regulations in chapter 5 of the Danish Criminal Code.

Section 4. This regulation shall enter into force on 1 July 2007.

Section 5. This regulation shall not apply to Greenland.

Danish Maritime Authority / 13 September 2006

Steen Nielsen / Søren Enemark Jensen