

Decree on the entry into force for Greenland of various acts amending the act on diving operations and diving equipment, etc.

We MARGRETHE THE SECOND, by the grace of God Queen of Denmark, hereby witness:

In pursuance of section 10(2)¹ of act no. 364 of 13 May 2009 amending the trade act (*næringsloven*), the marketing act (*markedsføringsloven*), the business promotion act (*erhvervsfremmeloven*) and various other acts within the area of the Ministry of Economic and Business Affairs (rule simplification for service providers, information obligation for service providers, regulations on accreditation and metrology as well as the establishment of a product contact point), section 70(4)² of act no. 1231 of 18 December 2012 amending various legal provisions on mandatory digital communication, etc. (mandatory digital communication and adjustments as a consequence of the transfer of powers, etc.) and section 12(2)³ of act no. 618 of 12 June 2013 amending the merchant shipping act (*søloven*) and various other acts (Enhanced navigational safety requirements in arctic waters, improving seafarers' legal status in case of piracy, adjustment of the ship registration provisions, implementation of the Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, implementation of the amendment Protocol to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea and abolition of the Divers' Council), the following provisions are laid down:

Section 1

In the act on diving operations and diving equipment, etc. (*lov om dykkerarbejde og dykkermateriel*), cf. consolidated act no. 18 of 7 January 2000, as enacted for Greenland by decree no. 728 of 19 August 2003, as amended by decree no. 212 of 23 March 2005, the following amendments shall be made:

1. *Section 6(2)* shall be repealed.
2. *Section 8(2)* shall be repealed.
Subsequently, subsection 3 shall become subsection 2.
3. *Subsection 9(4) and (5)* shall be repealed.
4. In *section 10(3)*, "section 8(3), the second clause" shall be amended to "section 8(2), the second clause".
5. *Section 11* shall be as follows:

"Section 11. A person holding a foreign professional diving certificate who, pursuant to Danish law on the recognition of professional qualifications, is entitled to carry out diving operations shall also be entitled to carry out diving operations in Greenland.

Subsection 2. The Minister for Business and Growth may lay down more detailed regulations on the access to perform professional diving, including on the recognition of foreign professional diving certificates and on the service provider's obligation to provide information to service recipients."

1 The provision has the following wording: "*Subsection 2.* Section 6 of the act may be put into force for Greenland by royal decree with the deviations deriving from the special Greenland conditions."

2 The provision has the following wording: "*Subsection 4.* Sections 1-10, 17, 18, 23, 29, 35-39, 41-44, 49, 50, 54, 58-63, 65 and 66 may be put into force in full or partly for Greenland by royal decree with the deviations deriving from the special Greenland conditions."

3 The provision has the following wording: "*Subsection 2.* Sections 1-9 may be put into force in full or partly for Greenland by royal decree with the deviations deriving from the special Greenland conditions."

6. *Part 4* shall be repealed.

7. After *section 18*, the following shall be inserted before the headline to *section 19*:

"Communication

Section 18a. The Minister for Business and Growth may lay down provisions to the effect that written communication to and from authorities about conditions covered by this act or regulations issued pursuant to this act shall be made digitally.

Subsection 2. The Minister for Business and Growth may lay down more detailed regulations on digital communication, including on the use of specific computer systems, special digital formats and digital signatures or the like.

Subsection 3. A digital message shall be considered to have reached the recipient when it is available to the addressee of the message.

Section 18b. The Minister for Business and Growth may lay down provisions to the effect that the authorities can issue decisions and other documents pursuant to this act or pursuant to regulations issued pursuant to this act without a signature, with a mechanically or similarly reproduced signature or using a technique ensuring unambiguous identification of the one who has issued the decision or the document. Such decisions and documents shall be comparable with decisions and documents with a personal signature.

Subsection 2. The Minister for Business and Growth may lay down regulations to the effect that decisions and other documents that have exclusively been made or issued on the basis of electronic data processing may be issued solely giving the relevant authority as the sender."

Section 2

Subsection 1. This decree shall enter into force on 1 January 2016.

Copenhagen, 27 November 2015
MARGRETHE R. / Troels Lund Poulsen