

**Order amending the order on Notice B from the Danish Maritime Authority,
the construction and equipment, etc. of ships**

Section 1

In order no. 1512 of 8 December 2016 on Notice B from the Danish Maritime Authority, the construction and equipment, etc. of ships, as amended by order no. 581 of 30 May 2017, the following amendments shall be made:

1. *The title* shall be as follows:

“Order on Notice B from the Danish Maritime Authority, the construction and equipment, etc. of ships”
[only of relevance to the Danish version, where there has been an error.]

2. The *introduction* shall be as follows:

“In pursuance of section 1(2) and (3), section 4(1) and (2), section 5 and section 32(8) of the act on safety at sea (*lov om sikkerhed til søs*), cf. consolidated act no. 72 of 17 January 2014, as amended by act no. 618 of 12 June 2013 and section 1(2) and (3), sections 3-5 and section 32(2) of decree no. 71 of 29 January 2013 on the entry into force for Greenland of the act on safety at sea (*lov om sikkerhed til søs*), and by authority, the following provisions are laid down:

3. *Chapter I, regulation 12, paragraph (a)(ii)*, shall be as follows:

“(a)(ii) a certificate called a Cargo Ship Safety Construction Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1 and II-2 (other than those relating to fire safety systems and appliances and fire control plans) and any other relevant requirements of the present regulations;”

4. *Chapter I, regulation 12-1, paragraph (i)*, shall be repealed.

Subsequently, paragraph (ii) to paragraph (iv) shall become paragraph (i) to paragraph (iii).

5. *Chapter I, regulation 14, paragraph (b)*, shall be as follows:

“(b) A Passenger Ship Safety Certificate shall be issued for a period not exceeding 12 months. A Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate and Cargo Ship Safety Radio Certificate shall be issued for a period specified by the Administration which shall not exceed five years. An Exemption Certificate shall not be valid for longer than the period of the certificate to which it refers.

A permit to carry passengers shall be valid for as long as the conditions for the use of the ship remain unchanged and are complied with. Furthermore, the validity shall be dependent upon compliance with the survey intervals stipulated in the Passenger Ship Safety Certificate.”

6. *Chapter II-3, regulation 2, paragraph 1*, shall be as follows:

“1 The provisions of this chapter shall apply to new cargo ships with a length (L³) of or above 15 metres or with scantlings (cf. the definition in chapter B I, part A, regulation 2) of or above 100 and to passenger ships engaged on international voyages. Accommodation spaces, etc. on mobile offshore units shall also meet the provisions stipulated in this chapter, taking into consideration, however, the special conditions on board these units.”

7. Chapter V, regulation 5, paragraph 2.11, shall be repealed.

8. In chapter XXV, S regulation 10, paragraph 3, "the appendix" shall be amended to "appendix II".

9. Chapter XXV, S regulation 10, paragraph 3.2, shall be as follows:

"3.2 The entry for each discharge into the sea under regulations 4, 5, 6 or section 5.2 of chapter 5 of part II-A of the Polar Code shall include date and time, position of the ship (latitude and longitude), category of the garbage and the estimated amount (in cubic metres) discharged. For discharge of cargo residues, the discharge start and stop positions shall be recorded in addition to the foregoing;"

10. In chapter XXV, S regulation 10, the following shall be inserted as new paragraphs after existing paragraph 3.2:

"3.3 The entry for each completed incineration shall include date and time and position of the ship (latitude and longitude) at the start and stop of incineration, categories of garbage incinerated and the estimated amount incinerated for each category in cubic metres;

3.4 The entry for each discharge to a port reception facility or another ship shall include date and time of discharge, port or facility or name of ship, categories of garbage discharged and the estimated amount discharged for each category in cubic metres;"

Subsequently, paragraphs 3.3 and 3.4 shall become paragraphs 3.5 and 3.6.

11. In chapter XXV, S regulation 10, paragraph 3.3, which shall become paragraph 3.5, “together with receipts from reception facilities” shall be inserted after “The Garbage Record Book shall”.

12. Chapter XXV, S regulation 10, paragraph 3.4, which shall become paragraph 3.6, shall be as follows:

"3.6 In the event of any discharge or accidental loss referred to in regulation 7 of this chapter an entry shall be made in the Garbage Record Book, or in the case of any ship of less than 400 gross tonnage, an entry shall be made in the ship's official log-book of the date and time of occurrence, port or position of the ship at time of occurrence (latitude, longitude and water depth if known), the reason for the discharge or loss, details of the items discharged or lost, categories of garbage discharged or lost, estimated amount for each category in cubic metres, reasonable precautions taken to prevent or minimize such discharge or accidental loss and general remarks."

13. In chapter XXVI, regulation 1, "regulations 3, 5, 6, 13, 15, 16, 18, 19, 20, 21, 22 and 23" shall be amended to "regulations 3, 5, 6, 13, 15, 16, 18, 19, 20, 21, 22 and 22A".

14. In *chapter XXVI, regulation 2*, the following shall be inserted after paragraph 47 as new paragraphs:
48 "Calendar year" means the period from 1 January until 31 December inclusive.
49 "Company" means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), as amended.
50 "Distance travelled" means distance travelled over ground."
15. In *chapter XXVI, regulation 3, paragraph 2*, the following shall be inserted after the second sentence: "A permit issued under this regulation shall not exempt a ship from the reporting requirement under regulation 22A and shall not alter the type and scope of data required to be reported under regulation 22A."
16. In *chapter XXVI, S regulation 5, paragraph 4.3*, "and for a ship to which regulation 22A applies, has been revised appropriately to reflect a major conversion in those cases where the major conversion affects data collection methodology and/or reporting processes" shall be inserted after "on board".
17. In *chapter XXVI, S regulation 5, paragraph 4.3*, "; and" shall be deleted.
18. In *chapter XXVI, S regulation 5, paragraph 4.4*, "later." shall be amended to: "later; and".
19. In *chapter XXVI, S regulation 5*, the following shall be inserted after paragraph 4.4 as a new paragraph:
4.5 The Administration shall ensure that for each ship to which regulation 22A applies, the SEEMP complies with regulation 22.2 of this chapter. This shall be done prior to collecting data under regulation 22A of this chapter in order to ensure the methodology and processes are in place prior to the beginning of the ship's first reporting period. Confirmation of compliance shall be provided to and retained on board the ship."
20. In *chapter XXVI, S regulation 6*, the *title* of the regulation shall be as follows:
"Issue or endorsement of certificates and statements of compliance related to fuel oil consumption reporting"
21. In *chapter XXVI, S regulation 6*, the following shall be inserted as new paragraphs after paragraph 5:
"Statement of Compliance – Fuel Oil Consumption Reporting"
6 Upon receipt of reported data pursuant to regulation 22A.3 of this chapter, the Administration or any organization duly authorised by it¹ shall determine whether the data has been reported in accordance with regulation 22A of this chapter and, if so, issue a Statement of Compliance related to fuel oil consumption to the ship no later than five months from the

¹ Refer to the Guidelines for the authorization of organizations acting on behalf of the Administration, adopted by the Organization by resolution A.739(18), as may be amended by the Organization, and the Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration, adopted by the Organization by resolution A.789(19), as may be amended by the Organization.

beginning of the calendar year. In every case, the Administration assumes full responsibility for this Statement of Compliance.

7 Upon receipt of reported data pursuant to regulations 22A.4, 22A.5 or 22A.6 of this chapter, the Administration or any organization duly authorized by it² shall promptly determine whether the data has been reported in accordance with regulation 22A and, if so, issue a Statement of Compliance related to fuel consumption to the ship at that time. In every case, the Administration assumes full responsibility for this Statement of Compliance."

22. In *chapter XXVI, S regulation 8*, the title shall be as follows:

"Form of certificates and statements of compliance related to fuel oil consumption reporting"

23. In *chapter XXVI, S regulation 8*, the following shall be inserted after paragraph 2 as a new paragraph:

"Statement of compliance – fuel oil consumption reporting"

3 The Statement of Compliance pursuant to regulations 6.6 and 6.7 of this chapter shall be drawn up in a form corresponding to the model given in appendix X to this chapter and shall be at least in English, French or Spanish. If an official language of the issuing Party is also used, this shall prevail in case of dispute or discrepancy."

24. In *chapter XXVI, S regulation 9*, the title shall be as follows:

"Duration and validity of certificates and statements of compliance related to fuel oil consumption reporting"

25. In *chapter XXVI, S regulation 9*, the following shall be inserted as a new paragraph after paragraph 11:

"Statement of Compliance – Fuel Oil Consumption Reporting"

12 The Statement of Compliance pursuant to regulation 6.6 of this chapter shall be valid for the calendar year in which it is issued and for the first five months of the following calendar year. The Statement of Compliance pursuant to regulation 6.7 of this chapter shall be valid for the calendar year in which it is issued, for the following calendar year, and for the first five months of the subsequent calendar year. All Statements of Compliance shall be kept on board for at least the period of their validity."

26. In *chapter XXVI, S regulation 10, paragraph 5*, "Statement of Compliance related to fuel oil consumption reporting and" are inserted before the words "International Energy Efficiency Certificate".

27. In *chapter XXVI, regulation 22*, the following shall be inserted after paragraph 1 as a new paragraph 2:

"2 On or before 31 December 2018, in the case of a ship of 5,000 gross tonnage and above, the SEEMP shall include a description of the methodology that will be used to collect the data required by regulation 22A.1 of this chapter and the processes that will be used to report the data to the ship's Administration."

Subsequently, paragraph 2 shall become paragraph 3.

² Refer to the Guidelines for the authorization of organizations acting on behalf of the Administration, adopted by the Organization by resolution A.739(18), as may be amended by the Organization, and the Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration, adopted by the Organization by resolution A.789(19), as may be amended by the Organization.

28. In *chapter XXVI*, the following shall be inserted after *regulation 22* as a new regulation:

"Regulation 22A – Collection and reporting of ship fuel oil consumption data

1 From calendar year 2019, each ship of 5,000 gross tonnage and above shall collect the data specified in appendix IX to this chapter, for that and each subsequent calendar year or portion thereof, as appropriate, according to the methodology included in the SEEMP.

2 Except as provided for in paragraphs 4, 5 and 6 of this regulation, at the end of each calendar year, the ship shall aggregate the data collected in that calendar year or portion thereof, as appropriate.

3 Except as provided for in paragraphs 4, 5 and 6 of this regulation, within three months after the end of each calendar year, the ship shall report to the Administration or any organization duly authorized by it,³ the aggregated value for each datum specified in appendix IX to this chapter, via electronic communication and using a standardized format to be developed by the Organization.⁴

4 In the event of the transfer of a ship from one Administration to another, the ship shall on the day of completion of the transfer or as close as practical thereto report to the losing Administration or any organization duly authorized by it,⁵ the aggregated data for the period of the calendar year corresponding to that Administration, as specified in appendix IX to this chapter and, upon prior request of that Administration, the disaggregated data.

5 In the event of a change from one Company to another, the ship shall on the day of completion of the change or as close as practical thereto report to its Administration or any organization duly authorized by it,⁶ the aggregated data for the portion of the calendar year corresponding to the Company, as specified in appendix IX to this chapter and, upon request of its Administration, the disaggregated data.

6 In the event of change from one Administration to another and from one Company to another concurrently, paragraph 4 of this regulation shall apply.

7 The data shall be verified according to procedures established by the Administration, taking into account guidelines to be developed by the Organization.

8 Except as provided for in paragraphs 4, 5 and 6 of this regulation, the disaggregated data that underlies the reported data noted in appendix IX to this chapter for the previous calendar year shall be readily accessible for a period of not less than 12 months from the end of that calendar year and be made available to the Administration upon request.

³ Refer to the Guidelines for the authorization of organizations acting on behalf of the Administration, adopted by the Organization by resolution A.739(18), as may be amended by the Organization, and the Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration, adopted by the Organization by resolution A.789(19), as may be amended by the Organization.

⁴ Refer to the 2016 Guidelines for the development of a Ship Energy Efficiency Management Plan (SEEMP Guidelines) (resolution MEPC.282(70)).

⁵ Refer to the Guidelines for the authorization of organizations acting on behalf of the Administration, adopted by the Organization by resolution A.739(89), as may be amended by the Organization, and the Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration, adopted by the Organization by resolution A.789(19), as may be amended by the Organization.

⁶ Refer to the Guidelines for the authorization of organizations acting on behalf of the Administration, adopted by the Organization by resolution A.739(89), as may be amended by the Organization, and the Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration, adopted by the Organization by resolution A.789(19), as may be amended by the Organization.

9 The Administration shall ensure that the reported data noted in appendix IX to this chapter by its registered ships of 5,000 gross tonnage and above are transferred to the IMO Ship Fuel Oil Consumption Database via electronic communication and using a standardized format to be developed by the Organization not later than one month after issuing the Statements of Compliance of these ships.

10 On the basis of the reported data submitted to the IMO Ship Fuel Oil Consumption Database, the Secretary-General of the Organization shall produce an annual report to the Marine Environment Protection Committee (MEPC) summarizing the data collected, the status of missing data, and such other relevant information as may be requested by the MEPC.

11 The Secretary-General of the Organization shall maintain an anonymized database such that identification of a specific ship will not be possible. Parties shall have access to the anonymized data strictly for their analysis and consideration.

12 The IMO Ship Fuel Oil Consumption Database shall be undertaken and managed by the Secretary-General of the Organization, pursuant to guidelines to be developed by the Organization."

29. In *chapter XXVI*, new appendices IX and X shall be inserted after appendix VII, which shall have the wording given in annex 1 and annex 2, respectively, of this order.

Section 2

Subsection 1. Section 1(i)-(vii) shall enter into force on 1 January 2018.

Subsection 2. Section 1(viii)-(xxvix) shall enter into force on 1 March 2018.

Subsection 3. Trade permits issued pursuant to the previous chapter I, regulation 12, paragraph (a)(ii), and regulation 12-1, paragraph (i), shall lose their validity on 1 January 2018 and may be discarded.

Danish Maritime Authority, 7 November 2017

Martin John / Per Sønderstrup

APPENDIX IX

Information to be submitted to the IMO Ship Fuel Oil Consumption Database

Identity of the ship

IMO number

Period of calendar year for which the data is submitted

Start date (dd/mm/yyyy)

End data (dd/mm/yyyy)

Technical characteristics of the ship

Ship type, as defined in regulation 2 of this chapter or other (to be stated)

Gross tonnage (GT)¹

Net tonnage (NT)²

Deadweight tonnage (DWT)³

Power output (rated power)⁴ of main and auxiliary reciprocating internal combustion engines over 130 kW (to be stated in kW)

EEDI (if applicable)

Ice class⁵

Fuel oil consumption, by fuel oil type⁶ in metric tonnes and methods used for collecting fuel oil consumption data.

Distance travelled

Hours underway

¹ Gross tonnage should be calculated in accordance with the International Convention on Tonnage Measurement of Ships, 1969.

² Net tonnage should be calculated in accordance with the International Convention on Tonnage Measurement of Ships, 1969. If not applicable, note "N/A".

³ DWT means the difference in tonnes between the displacement of a ship in water of relative density of 1025 kg/m³ at the summer load draught and the lightweight of the ship. The summer load draught should be taken as the maximum summer draught as certified in the stability booklet approved by the Administration or an organization recognized by it.

⁴ Rated power means the maximum continuous rated power as specified on the nameplate of the engine.

⁵ Ice class should be consistent with the definition set out in the International Code for ships operating in polar waters (Polar Code) (resolutions MEPC.264(68) and MSC.385(94)). If not applicable, note "N/A".

⁶ As defined in the 2014 Guidelines on the method of calculation of the Attained Energy Efficiency Design Index (EEDI) for new ships (resolution MEPC.245(66), as amended) or other (to be stated).

APPENDIX X

Form of Statement of Compliance – Fuel Oil Consumption Reporting

STATEMENT OF COMPLIANCE – FUEL OIL CONSUMPTION REPORTING

Issued under the provisions of the Protocol of 1997, as amended, to amend the International Convention for the Prevention of Pollution by Ships, 1973, as modified by the Protocol of 1978 related thereto (hereinafter referred to as "the Convention") under the authority of the Government of:

(full designation of the Party)

by _____
(full designation of the competent person or organization authorized under the provisions of the Convention)

Particulars of ship¹

Name of ship _____

Distinctive number or letters _____

IMO Number² _____

Port of registry _____

Gross tonnage _____

THIS IS TO DECLARE:

1. That the ship has submitted to this Administration the data required by regulation 22A of Annex VI of the MARPOL Convention, covering ship operations from (dd/mm/yyyy) through (dd/mm/yyyy); and
2. The data was collected and reported in accordance with the methodology and processes set out in the ship's SEEMP that was in effect over the period from (dd/mm/yyyy) through (dd/mm/yyyy).

This Statement of Compliance is valid until (dd/mm/yyyy) _____

¹ Alternatively, the particulars of the ship may be placed horizontally in boxes.

² In accordance with the IMO Ship Identification Number Scheme, adopted by the Organization by resolution A.1078(28).

Issued at: _____
(place of issue of Statement)

Date (dd/mm/yyyy) _____
(date of issue) _____
*(signature of duly authorized official
issuing the Statement)*

(seal or stamp of the authority, as appropriate)