

Order on Executive Order on the client's duties and responsibilities for major construction and civil engineering works in Danish waters

Pursuant to Sections 1(2) and (3), 3(1), 6, 27a and 32(9) of the Act on Safety at Sea, cf. Consolidated Act no. 221 of 11 February 2022, is laid down by authorisation pursuant to Section 1(1)(3) of Executive Order no. 261 of 23 March 2020 on the delegation of certain powers to the Danish Maritime Authority and on the right of appeal, etc.:

Application

Section 1. The Executive Order applies to safety issues related to major construction and civil engineering works at sea in Danish waters involving Danish and foreign ships and maritime units.

Definitions

Section 2. For the purposes of this Executive Order:

- 1) Client: The natural or legal person on whose behalf a construction and civil engineering works is carried out.
- 2) Maritime units: Barges, floating cranes, construction vessels, dredgers, specialised vessels, work vessels, etc.
- 3) Major construction and civil engineering works: Work on installations, structures, bridges, tunnels, ports, harbours, pipelines, etc., where more than three ships or maritime units are involved in the task at the same time and where the total number of people on board exceeds 10.
- 4) Danish waters: The internal and external territorial waters and the exclusive economic zone (EEZ).

The client

Section 3. The client must ensure that the ships and maritime units that are part of larger construction and civil engineering works at sea comply with applicable maritime regulations, including that the plan for the execution of the work, time schedules, coordination between the participating contractors, resources, architecture, choice of materials and other matters of importance to the working environment, including weather conditions, are compatible with the work being carried out in a fully safe and healthy manner.

Subsection 2. The client must inform the Danish Maritime Authority of the ships and maritime units included in major construction and civil engineering works under Subsection 1 before they enter into operation. The information shall contain the information set out in the Annex.

Subsection 3. If there are any changes to the information provided in accordance with Subsection 2, the client must inform the Danish Maritime Authority as soon as possible.

Subsection 4. Reporting under Subsections 2 and 3 must be done electronically via the Danish Maritime Authority's website.

Enforcement

Section 4. The Danish Maritime Authority inspects the client's compliance with Section 3, including the ships and maritime units involved in the construction and civil engineering works.

Subsection 2. In connection with inspections under Subsection 1, the client shall assist the Danish Maritime Authority with an appropriate implementation thereof.

Penalty provisions

Section 5. Violation of Section 3 is punishable by a fine.

Subsection 2. Criminal liability may be imposed on companies or other legal persons in accordance with the rules laid down in Chapter 5 of the Criminal Code.

Entry into force

Section 6. The Executive Order will enter into force on 1 July 2024, cf. subject to Subsection 2.

Subsection 2. Section 3(1) shall enter into force on 1 January 2025.

Danish Maritime Authority, 21 February 2024

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Reporting information about entities participating in major construction and civil engineering works in Danish waters

Information about the construction and civil engineering works

1. Information about the client, including contact information.
2. The purpose of the construction and civil engineering works.
3. Expected duration.
4. Where the work takes place (position or location).

Information about affiliated ships and maritime units

5. Identification of the ship or unit (IMO number, call sign or equivalent).
6. The ship or unit:
 - a. flag state,
 - b. size (gross tonnage), and
 - c. type (e.g. work vessel, construction vessel, crane vessel, cargo vessel, passenger vessel, barge, tug, specialised vessel, dredger, etc.).
7. Information about the owner or operator if the latter is different from the owner.
8. When the vessel/unit is expected to arrive at the construction and civil engineering works.
9. When the vessel/unit is expected to leave the construction and civil engineering works