

Executive Order no. 773 of 7 October 1997

Executive Order on instruction of seafarers when signing on a ship

The following shall be laid down pursuant to section 25(2) and section 28 of Act no. 15 of 13 January 1997 on Manning of Ships (*lov om skibes besætning*):

Basic safety training and instructions of all seafarers

1. Before being assigned to shipboard duties, the master of any ship shall ensure that all persons employed or engaged on a seagoing ship, taking into account the previous maritime education of the relevant person, are informed about and instructed in:

- 1) what to do if a person falls overboard, if fire or smoke is detected, or the fire or abandon ship alarm is sounded.
- 2) how to manage waste on board in order to avoid environmental pollution, and how to act in the event of environmental pollution,
- 3) the immediate action in the event of an emergency,
- 4) identifying muster and embarkation stations and emergency escape routes,
- 5) localising and don life-jackets,
- 6) raising the alarm and have basic knowledge of the use of portable fire extinguishers, and
- 7) closing and opening the fire, weathertight and watertight doors fitted in the particular ship other than those for hull openings.

Briefing on special duties

2. Before commencement of service all newly signed on seafarers shall, depending on the position they are to take up on board, in addition to information and instruction dealt with in section 1, be properly briefed on their special tasks, including equipment, installations and emergency response plans as well as special conditions of importance for their routine duties and their duties in connection with an emergency.

Liability of the shipowner in connection with briefing on special duties*

3. The shipowner* shall provide the master of any merchant ship, except for cargo ships in near-coastal voyages with a gross tonnage less than 500, with written instructions including the guidelines and procedures which are to be followed by the master of the ship and the complement in order to fulfil the provisions of section 2 on briefing all newly signed on seafarers about their special duties. These guidelines and procedures shall for example ensure,

* Throughout the translation the term "shipowner" is used to denote the Danish term "reder" for which there is no directly equivalent English term. The "reder" is the entity that operates the ship for its own account, typically the owner or demise charterer of the ship. Time and voyage charterers are not considered "reder".

Translation: Only the Danish document has legal validity.

- 1) that any newly signed on seafarer is given the time necessary to acquaint himself with the special equipment he is to operate, and with the special procedures and arrangements concerning watchkeeping, safety, environmental protection and precautions in emergency situations necessary for the seafarer to properly carry out his assigned duties, and
- 2) that a member of the complement is designated with special responsibility for the newly signed on seafarer to receive the information necessary in a language he understands.

Penalties

4.-(1) Any shipowner* or master violating sections 1 or 2, or any shipowner* violating section 3 shall be liable to a fine, simple detention or imprisonment for up to one year.

(2) The penalty may be increased to simple detention or imprisonment for up to two years if the violation is committed intentionally or by gross negligence, and if the violation

1) has caused injury to young people of less than 18 years of age or provoked a risk of injury, or

2) has resulted in or aimed at a financial benefit, comprising also financial savings, for the person committing the violation, or for others.

(3) If the benefit obtained through the violation is not confiscated, the size of such financial benefit obtained shall be taken into account when determining the fine, including additional fines, cf. subsection (2), no. 2.

(4) Companies etc, (legal persons) may incur criminal liability according to the regulations in chapter 5 of the Danish Penal Code (*straffeloven*).

Entry into force

5. This Executive Order shall enter into force on 1 November 1997. However, section 3 shall not enter into force before 1 February 1998.

The Danish Maritime Authority, 7 October 1997

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