

Translation. Only the Danish document has legal validity.

Order no. 963 of 28 September 2012 issued by the Danish Maritime Authority

**Order on safe manning document for small commercial vessels
and Greenland fishing vessels carrying up to 12 passengers
on domestic voyages in Denmark and along the coasts of Greenland**

In pursuance of section 4(2), section 18(2) and section 27(3) of the act on the manning of ships (*lov om skibes besætning*), cf. consolidated act no. 168 of 27 February 2012, as amended by act no. 478 of 30 May 2012 and section 4(2), section 18(2) and section 27(2) of decree no. 608 of 25 June 2001 on the entry into force for Greenland of the act on the manning of ships and after consultation with the Government of Greenland and by authority, the following provisions are laid down:

Part 1

General provisions

Section 1. The safe manning document shall apply to domestic passenger voyages with a maximum of 12 passengers by commercial vessels and Greenland fishing vessels with a length below 15 metres and scantlings below 100 covered by Notice F of the Danish Maritime Authority as well as by commercial vessels with scantlings below 20.

Subsection 2. In addition, the safe manning document shall apply to wooden vessels of primitive build, including viking ships and vessels not propelled by mechanical means.

Subsection 3. The safe manning document shall apply to voyages carried out as part of commercial activities.

Part 2

On vessels with scantlings of or above 20

Section 2. In vessels covered by section 1, the crew shall consist of at least two persons when the scantlings are of or above 20, cf. however section 7.

Subsection 2. When the vessel is used for navigation together with another commercial vessel or under conditions where the crew and passengers can by their own efforts rescue themselves to the shore, the crew may consist of one person.

Section 3. The master of a commercial vessel covered by section 1 shall, as a minimum hold a certificate of competency in navigation valid for merchant vessels.

Subsection 2. The certificate of competency mentioned in subsection 1 may be replaced by a special certificate of competency with limited rights¹ issued by the Danish Maritime Authority on the basis of documentation of having passed a theoretical test for a certificate of competency in navigation for merchant ships or fishing vessels, and

¹ See the Danish language website www.sikkersejlad.dk for additional guidance on applications for special certificates of competency.

- 1) navigational experience on board a similar vessel for at least three months, having completed instructions in onboard fire-fighting equipment and having completed a course in basic maritime safety at a training institution approved by the Danish Maritime Authority, or
- 2) having passed a practical test covering manoeuvring and motor operation on board the vessel in the presence of a person approved by the Danish Maritime Authority, having completed instructions in onboard fire-fighting equipment and having completed a course in basic maritime safety at a training institution approved by the Danish Maritime Authority.

Subsection 3. In addition to the certificate of competency mentioned in subsection 1 or 2, the master shall hold:

- 1) a valid certificate as a radio operator in GMDSS, minimum ROC, if the vessel concerned is fitted with a radio. If the vessel is exclusively fitted with a mobile VHF radio system, then SRC;
- 2) a valid certificate as a medical examiner for the ship's medicine chest on board, cf. order no. 1550 of 17 December 2007 on training and qualification certificates for medical examiners on board ships (the maritime health training programmes). If a ship's medicine chest is not required on board the vessel concerned, the master shall have completed an approved first-aid course at the medium level with resuscitation as described by the Danish First-Aid Council;
- 3) a valid health certificate for seafarers and fishermen that does not contain any limitations in the work area for the service on board and be fit for lookout duty;

Subsection 4. In addition, the master shall be of age and not be under guardianship pursuant to section 5 of the guardianship act (*værgemålsloven*) or under guardianship pursuant to section 7 of the guardianship act (*værgemålsloven*),

Subsection 5. As regards sailing boats, the test for a certificate of competency mentioned in subsection 2 may be replaced by a passed yacht master examination, 3rd class or above.

Subsection 6. The master of a Greenland fishing vessel as mentioned in section 1 shall hold a valid certificate as a second hand on fishing vessels or meet the provisions of subsection 1 or 2, cf. however subsection 9.

Subsection 7. The master of a vessel with a propulsion power of or above 100 kW shall, in addition to meeting the provisions of subsection 2, have passed the practical test mentioned in subsection 2(ii), covering manoeuvring and motor operation, if he or she does not hold a valid certificate of competency in navigation valid for merchant ships or a certificate as a second hand on fishing vessels or above.

Subsection 8. If the vessel has a propulsion power of or above 100, but below 750 kW, there shall be a person on board holding a certificate of competency in motor operation. This person may, at the same time, be engaged for other service on board. For vessels with a propulsion power of or above 100 kW, the Danish Maritime Authority may permit that completed on-the-job training and training programmes in operation, maintenance and safety concerning the vessel's engine(s) are equivalent to a certificate of competency in motor operation.

Subsection 9. The master of vessels registered in Greenland shall not meet the provisions of subsection 3(iv) on a health certificate. Instead, the Government of Greenland may lay down provisions on medical examinations, etc.

Section 4. The other crew member in commercial vessels,² cf. section 1, shall:

² The educational requirements for fishermen and the training and certification requirements for masters of fishing vessels with a length below 15 metres are stated in the order in force on the qualification requirements of seafarers and fishermen and on certificates of competency.

- 1) have been instructed on board in the operation of the vessel's life-saving appliances and fire-extinguishing equipment;
- 2) have been instructed in the manoeuvring of the vessel;
- 3) hold a health certificate for seafarers and fishermen that does not contain any limitations in the work area for the service on board and be fit for lookout duty; and
- 1) be of age.

Subsection 2. Crew members on vessels registered in Greenland shall not meet the provisions of subsection 1(ii) on a health certificate. Instead, the Government of Greenland may lay down provisions on medical examinations, etc.

Section 5. The Danish Maritime Authority may approve persons for carrying out practical tests, cf. section 3(1)(2)(ii).

Subsection 2. Approval may be granted to persons who

- 1) have been trained as navigating officers at a level that overall provides a qualification level above the professional level of the practical test;
- 2) have the relevant educational experience;
- 3) have participated in one or more practical tests;
- 4) have in the presence of a ship surveyor from the Danish Maritime Authority demonstrated that he or she is qualified to carry out practical tests; and
- 5) have valid liability insurance covering participation in practical tests at sea.

Subsection 3. Persons carrying out practical tests shall follow the guidelines issued by the Danish Maritime Authority on the holding of tests and shall for at least one year store documentation for tests held that shall be presented to the Danish Maritime Authority upon request.

Part 3

Vessels with scantlings below 20

Section 6. In commercial vessels³ with scantlings below 20, the crew shall consist of at least one person, cf. however subsection 2. The master of the vessel shall as a minimum:

- 1) have the relevant navigational experience and, on the basis of an assessment of the safety when using the relevant vessel, have acquired the necessary knowledge about the following subjects:
 - a) Regulations for preventing collisions at sea.
 - b) Navigation in the relevant navigational area.
 - c) Prevention of fire and operation of fire-extinguishing means, including have passed documented practical training and use of the vessel's fire-extinguishing equipment.
 - d) Ships' stability.
 - e) Maritime safety.
 - f) Protection of the marine environment.
 - g) The machinery of small vessels.

³ The educational requirements for fishermen and the training and certification requirements for masters of fishing vessels with a length below 15 metres are stated in the order in force on the qualification requirements of seafarers and fishermen and on certificates of competency.

- 2) hold a valid certificate as a radio operator in GMDSS, minimum ROC, if a radio is required in the vessel concerned. If the vessel is exclusively fitted with a mobile VHF radio system, then SRC;
- 3) hold a certificate as a medical examiner, cf. order no. 1550 of 17 December 2007 on the training and qualification certificates of medical examiners in ships (the maritime health training programmes) if a ship's medicine chest is required in the vessel concerned. If a ship's medicine chest is not required on board the vessel concerned, the master shall have passed an approved first-aid course at the medium level with resuscitation as described by the Danish First-Aid Council;
- 4) be of age and not be under guardianship pursuant to section 5 of the guardianship act (*værgemålsloven*) or under guardianship pursuant to section 7 of the guardianship act (*værgemålsloven*).

Subsection 2. If two or more commercial vessels with scantlings below 20 are accompanying each other, a total of at least two persons on the vessels shall meet the provisions of subsection 1.

Subsection 3. If the vessel has a propulsion power of or above 100 kW, but below 750 kW, the crew shall consist of at least two persons. The master of the vessel shall meet the provisions of section 3 and the other crew member shall meet the provisions of section 4. In addition, there shall be a person on board who has passed a test for a certificate of competency in motor operation or has completed type-specific instructions and training in the use of the relevant motor. This person may, at the same time, have been engaged for other service on board.

Subsection 4. The other crew member in commercial vessels, cf. section 6(3), shall:

- 1) have been instructed on board in the operation of the vessel's life-saving appliances and fire-extinguishing equipment;
- 2) have been instructed in the vessel's manoeuvring;
- 3) be of age.

Part 4

On vessels exclusively used for professional training in navigation

Section 7. In vessels exclusively used for professional training in navigation, the crew shall consist of at least one person, cf. however subsection 2. The master of the vessel shall have been appointed by the shipowner as a qualified instructor and shall, as a minimum, have qualifications corresponding to the level that the training concerns.

Subsection 2. If three or more commercial vessels are accompanying each other, a total of at least two persons on the vessels shall meet the provisions of subsection 1.

Part 5

Entry into force and interim provisions

Section 8. Anyone contravening sections 2-4 and 6-7 shall be liable to punishment by fine.

Subsection 2. Companies etc. (legal personalities) may be liable to punishment according to the provisions of chapter 5 of the penal code (*straffeloven*).

Section 9. This order shall enter into force on 1 October 2012.

Subsection 2. Safe manning document no. 1 for cargo vessels with a gross tonnage below 20 and for fishing vessels with a length below 15 metres carrying up to 12 passengers on domestic voyages in Denmark, cf. order no. 12130 of 10 August 2001, shall be repealed.

Section 10. For commercial vessels registered in Greenland, persons not meeting the provisions of section 3 or 6, but who can document when the safe manning document enters into force to have been the master of a vessel covered by these provisions for at least one year within the last five years may continue as master of the commercial vessel concerned until 1 August 2014.

Danish Maritime Authority / 28 September 2012
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