

Order on the Danish International Register of Shipping

The following shall be laid down pursuant to section 12 and section 13(2) of the act on the Danish International Register of shipping, cf. consolidated act no. 273 of 11 April 1997, as amended by act no. 526 of 7 June 2006:

Part 1

The registration authority and notification for registration

Section 1. The Registrar of Shipping shall be responsible for the activities of the Danish International Register of Shipping. The Danish Maritime Authority shall function as the secretariat of the Registrar of Shipping.

Section 2. Danish ships, cf. section 1(2) of the merchant shipping act (*søloven*), notified for registration in the Danish International Register of Shipping no later than 30 days after the completion of the ship or – if the ship has been acquired as completed – no later than 30 days after the date of acquisition shall be exempted from the obligation to notify in accordance with section 10(1) of the merchant shipping act (*søloven*).

Subsection 2. The Registrar of Shipping may extend the time limit stipulated in subsection 1.

Subsection 3. Notification of registration of a ship and shipping company pursuant to the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) shall be submitted to the Danish Maritime Authority on special forms available from the webpage of the Danish Maritime Authority, www.sofartsstyrelsen.dk. If the shipping company is already registered as the owner of a ship, reference may be made to the previous notification.

Subsection 4. The notification shall be signed by those authorised to sign for the owner(s) of the ship.

Subsection 5. In special circumstances, the Registrar of Shipping may permit the notification to be registered though a few signatures are missing.

Subsection 6. The Registrar of Shipping may require documentation of the information given in the notification.

Section 3. Notification of registration of a ship in the Danish International Register of Shipping shall contain the following information:

- 1) Owner of the ship, cf. subsections 2-8.
- 2) Name of ship.
- 3) Port of registry of ship, cf. subsection 9.
- 4) Ship's year of build.
- 5) Ship's construction number.
- 6) Ship's yard of construction.
- 7) Type of ship.
- 8) Whether the type of the ship and its trade is in accordance with section 4 of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*).

Subsection 2. The Registrar of Shipping may require the necessary proof that the notifier is the owner of the ship.

Subsection 3. If the owner is Danish, cf. section 1(2) of the merchant shipping act (*søloven*), for companies admitted to the Central Business Register (CVR), a special form shall be submitted with information about the registration number of the company. If the company is owned by a foundation, an association or a company, except for a limited company or a public limited company, the notification shall especially contain information about who can sell or mortgage the ship. If a board of management or a corresponding shipowner¹ has been chosen, this shall be notified. A board of management shall be considered a corresponding shipowner, and in these cases a special corresponding shipowner cannot be notified for registration. If the ship is owned by a part-owner shipping company, the notification shall contain information about the part-owners' shares and the choice of a managing shipowner.

Subsection 4. If the owner is not Danish, but if the owner is persons, companies or the like covered by section 2 of the merchant shipping act (*søloven*), the notification for registration shall contain information about how the owner meets the conditions laid down for being registered as a Danish ship pursuant to section 2 of the merchant shipping act (*søloven*), including the requirements that the ship shall be administered, controlled and directed from Denmark.

Subsection 5. In addition, it shall be stated in the notification whether the ship has been notified for registration in the Register of Shipping pursuant to the merchant shipping act (*søloven*). If this is the case, or if the shipping company is already registered as the owner of a Danish ship, reference may in the notification be made to a previously submitted notification as regards the conditions of the shipping company.

Subsection 6. If the owner is a foreign company, cf. section 1(2) of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*), the notification shall – in addition to information about the owner – contain information about the Danish citizens or companies meeting section 1(2) of the merchant shipping act (*søloven*) with a direct or indirect capital share in the foreign company as well as information about the representative appointed by the owner.

Subsection 7. The Registrar of Shipping may require the information about the ship's owner stated in the notification to be documented by, for example, submission of transcripts of a public register, minutes of general meetings or board meetings or authorised transcripts of these.

Subsection 8. A declaration of nationality criteria may be made on the notification form, cf. section 5.

Subsection 9. Danish ships shall be registered in the realm, either in a city or in a port.

Section 4. The Registrar of Shipping shall refuse to register ships' names which intrude upon a particular name-giving system used by another shipping company.

Section 5. Before it is possible to register a ship, it shall also – insofar as the owner is not already registered as the owner of a Danish ship – be proven that the owner or the persons or companies with a direct or indirect capital share in the foreign company, cf. section 3(6), meet the nationality criteria stipulated in section 1 or 2 of the merchant shipping act (*søloven*) or the conditions stipulated in section 1(2) of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*). This shall take place by the owner filling in and signing a special form available from the webpage of the Danish Maritime Authority, www.sofartsstyrelsen.dk.

Subsection 2. In case the owner has no legal capacity, the consent from the supreme administrative authority to the acquisition of the ship or ship's share shall be presented.

¹ 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".

Subsection 3. In case of doubt whether the nationality criteria are met, proof hereof may be required to be presented.

Subsection 4. In exceptional circumstances, the Registrar of Shipping may temporarily disregard individual persons' signatures on the declarations of nationality if the other signatories declare that the persons concerned meet the conditions referred to in the declaration and that, on the basis of the information available, must be presumed that the conditions are met.

Subsection 5. If the owner is a foreign company, it shall be proven that:

- 1) Danish citizens or companies that are – pursuant to the merchant shipping act (*søloven*) – to be considered Danish have a direct or indirect capital share in the foreign company of at least 20 per cent;
- 2) Danish citizens or companies have – through their direct or indirect capital share in the foreign company – a significant influence through voting rights or the like; and
- 3) the foreign company is engaged in shipping as a major activity.

Section 6. On notification of a managing shipowner for a part-owner shipping company, it shall be proven that the managing shipowner meets the conditions stipulated in section 1(2) or section 103(2) of the merchant shipping act (*søloven*), and the managing owner shall, in writing, declare himself willing to undertake the duties and responsibilities.

Subsection 2. The requirements for Danish nationality and residence or domicile of the managing shipowner stipulated in section 1(3) of the merchant shipping act (*søloven*) shall not apply to citizens or companies from a country that is a member of the European Union and which – pursuant to the provisions of the European Union on the right of establishment, the free movement of labour and the exchange of services – shall be considered equal to Danish citizens or companies with their residence or domicile in a member State of the European Union. The same applies to countries covered by the Agreement on the European Economic Cooperation.

Section 7. If the notified Danish owner has its residence or domicile abroad, the Danish International Register of Shipping may demand that the owner in writing notify to the Register an agent who is a resident in Denmark and who is authorised to act on behalf of the owner in relation to the Registrar of Shipping and who is responsible for ensuring that the obligations resting with the shipping company under the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) and this order are met.

Subsection 2. The agent shall with his signature accept power of attorney.

Subsection 3. The Registrar of Shipping may require a similar power of attorney in cases where it must be presumed that over a longer period of time the registration authority may experience difficulties in contacting the owner due to the owner's position as master or because he has been signed on to the ship.

Section 8. On registration of a newly-built ship, a builder's certificate shall be required from the shipyard which built the ship, containing the necessary data for identification of the ship as well as an attestation that the ship has been built at the cost of the shipowner, and that the property rights to the ship have been transferred to the ship owner.

Section 9. If a ship is acquired from abroad, necessary proof of identity that the seller is entitled to have the ship at his disposal shall be presented in addition to a document of title for the transferee, normally in the form of a declaration from the foreign registration authority in question that the seller was registered in the Register of Shipping as the owner of said ship, and documentation from the foreign registration authority

stating that the ship has not been registered in the relevant foreign Register of Shipping or Ship Construction Register or that it has been or will be deleted from the register on the day it is proven to have been registered in the Register of Shipping of another country.

Subsection 2. The Registrar of Shipping may, in special circumstances, register a ship though documentation from the foreign registration authority has not been acquired. However, the registration may take place only provided the country from which the ship has been acquired, or in whose Register of Shipping or Ship Construction Register the ship has been registered, has neither acceded to the International Convention of 1967 for the Unification of Certain Rules relating to Maritime Liens and Mortgages nor the International Convention of 1967 relating to Registration of Rights in respect of Vessels under Construction.

Subsection 3. If a ship has been acquired from abroad, the liens and mortgages stated in the certificate of deletion mentioned in subsections 1 and 2 or whose existence is confirmed by the mortgagor and which fulfil the conditions in section 74 of the merchant shipping act (*søloven*) shall be transferred to the Danish International Register of Shipping at the same time as the ship is registered. If the ship is transferred from the Danish Register of Shipping, it shall be transferred with all rights and obligations.

Subsection 4. If the necessary document of title of the buyer or proof of identity of the seller cannot be obtained, the procedure mentioned in section 41 of the merchant shipping act (*søloven*) for the preclusion of other titles shall apply.

Part 2

The basis for registration of title and the performance of registration

Section 10. A document that is notified for registration in the Danish International Register of Shipping shall on the same day be entered in a daybook with a brief description of what the notification concerns. After the entry in the daybook, the documents of the notification shall be provided with a note on when the entry has taken place.

Subsection 2. After the entry in the daybook, it shall be examined whether the ship or the document can be registered and whether the information mentioned in sections 2, 3 and 5-9 has been submitted.

Subsection 3. If the document cannot be registered according to the information available, the application for registration shall be rejected. If the necessary information has not been submitted, the Registrar of Shipping may stipulate a time limit for rectification.

Section 11. Submission of documents for registration shall take place in the Danish Maritime Authority, attn.: Danish International Register of Shipping, Carl Jacobsens Vej 31, DK-2500 Valby, from 9 am to 2 pm on the days when the Danish Maritime Authority is open. The daybook shall be finalised every day at the end of the submission time. Documents received later, shall be entered in the daybook for the following day on which the office is open.

Subsection 2. Documents of title that are duly signed and received by means of fax (fax no. +45 91 37 00 01) or transferred electronically (srg@dma.dk) in the formats approved by the Registrar of Shipping shall be entered in the daybook, cf. subsection 1.

Subsection 3. The documents entered shall be furnished with the date of receipt, cf. subsection 1.

Subsection 4. When the original document for that submitted by means of fax or electronically, cf. subsection 2, is received by the Danish Maritime Authority, this shall be entered under the same date as the fax received or that which has been transferred electronically. If the original document has not been received

within seven days of receipt of the fax or the electronic transfer, the Registrar of Shipping shall reject the registration.

Section 12. As a basis for the registration of a title in a ship, a document notified for registration shall be required.

Subsection 2. Signature and authority of the person issuing the document as well as the correctness of the date shall be confirmed by the Notary Public, by a lawyer or by two attesting witnesses. The occupation and address of the witnesses shall be stated. The signatures shall, if they are not absolutely clear, be repeated in capital letters, by a stamp or typed.

Subsection 3. The document shall state the following information:

- 1) At the top of the first page, the following shall be stated:
 - a) the notifier's name,
 - b) the notifier's place of residence, and
 - c) the notifier's telephone number.
- 2) The name of the ship.
- 3) The port of registry of the ship.
- 4) The distinctive number or letters of the ship.

Subsection 4. On notification of changes to a previously registered document the name and place of residence of the notifier shall be added to the notification.

Subsection 5. A mortgage document shall state the following information:

- 1) The name of the creditor.
- 2) The place of residence of the creditor or the place of residence of a proxy who is entitled to accept proclamations and notifications on behalf of the mortgagee.

Subsection 6. The Registrar of Shipping may, with binding effect, send all notifications concerning the registration to the notifier.

Subsection 7. If more than one right is established on a document, it shall be stated on the document by endorsement which rights are requested to be registered. If this is not the case, the document shall only be registered with regard to the right(s) which the document states as its main right(s).

Subsection 8. A conditional document shall be registered as title only when the condition is related to the occurrence of specific events or facts or the expiry of a specific time limit.

Subsection 9. If a conditional deed is notified for registration, it shall be expressly stated in the registration note that the deed is registered as conditional. If the seller declares that the condition has been met, it shall be stated in the registration note upon registration that the deed is now final.

Subsection 10. If it is suspected that a document notified for registration is a forgery or counterfeit, or if otherwise justified, the registered owner of the ship shall be informed hereof immediately.

Section 13. When a spouse retains possession of an estate, a declaration from the probate court shall be registered stating that the estate has been handed over to the spouse. Similarly, on private administration of an estate the beneficiaries shall be registered as owners of the ship or ship's share of the deceased in accordance with the transcript of the records presented from the probate court. If more than one beneficiary wishes to be registered as owner, or if the beneficiaries wish to take over the ship or ship's share as part owners, either an executor's assent shall be required or a transcript of the records from the probate court with the endorsed declaration of the beneficiaries on the take over of the ship or ship's share, and on the proportion to which they shall be entitled.

Subsection 2. In legal proceedings on ships or ship's shares, the plaintiff may, when the court before which the case has been brought has made a decision, request a certified copy of the summons to be registered. If the case is settled out of court, or if the decision is against the plaintiff and the time limit for appeal is exceeded without appeal, the plaintiff may request the summons to be deleted from the register.

Section 14. If a ship or a ship's share is sold by forced sale without recourse, the bailiff – and in case of bankruptcy, public administration or administration of the estate of a deceased person involving a ship or ship's share – the trustee, the probate court or executor shall submit notification of this to the Registrar of Shipping without delay.

Subsection 2. If a person who owns a ship or a ship's share is declared legally incompetent pursuant to section 6 of the guardianship act (*værgemålsloven*), the guardian shall ensure that the decision is registered in order to be valid in connection with agreements about the ship that are concluded in good faith with the legally incompetent person. The same duty of notification shall rest with the guardian if a minor or a person who has been declared legally incompetent pursuant to section 6 of the guardianship act (*værgemålsloven*) acquires a ship or a ship's share. With regard to a minor, the notification shall also include date of birth.

Subsection 3. The notification mentioned shall be entered in the daybook and registered on the ship's page.

Subsection 4. For registration of title after forced sale, public administration or administration of the estate of a deceased person, a title deed acquired by the purchaser at a forced sale, a transcript of the bailiff protocol or an executor's assent shall be required, respectively.

Subsection 5. Bankruptcy, public administration or administration of the estate of a deceased person involving the Danish citizens or Danish companies referred to in section 1(2)(i) of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) shall not be considered as a change of the conditions of title. However, the trustee, the probate court or the executor shall submit notification of this to the Registrar of Shipping without delay. The same duty of notification shall rest with the bailiff if the capital shares referred to in section 1(2) of this act are sold by forced sale.

Section 15. Documents notified for registration shall be in Danish. However, in special cases the Registrar of Shipping may permit the registration of documents that are not in Danish.

Subsection 2. Builder's certificates, conveyances (bills of sale), mortgages and letters of indemnity notified for registration shall be made on the forms approved by the Registrar of Shipping. The Registrar of Shipping may permit other documents also to be received for registration.

Subsection 3. Additions to as well as deletions and corrections in the part of the text for mortgages, owner's mortgages and letters of indemnity which in the form have been segregated as standard text, may take place only when they have been reproduced under the individual contents of the document.

Section 16. Documents submitted for registration in the Danish International Register of Shipping shall be scanned and saved in a special file (the ship's file).

Subsection 2. Documents issued by a foreign owner, cf. section 1(2) of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) and section 2 of the merchant shipping act (*søloven*) which are notified for registration shall also be enclosed with the necessary proof of identity so that the signatories are entitled to sign on behalf of the company.

Section 17. If a document does not fulfil the conditions laid down in sections 12-15 and 42-45, it shall be rejected from registration and deleted from the daybook. Rejection may also take place at the notification of the document to the daybook. The notifier shall be informed about the rejection at the earliest practicable date.

Subsection 2. If it is deemed that the deficiency of the document can be rectified, the Registrar of Shipping may, however, stipulate a time limit for rectifying the deficiency or note the deficiency on the document, cf. subsections 3-5 and section 45(2).

Subsection 3. If the deficiency has not been rectified within the time limit stipulated, the document shall be deleted from the daybook. If it is deemed that the provisions on the duty to notify have been violated, the required measures to rectify the omission or deficiency shall be enforced, possibly by raising an indictment.

Subsection 4. When a document has been registered, this shall be confirmed on the document and the duplicates. If a remark has been notified on a document regarding other documents and the contents of the documents conflict with each other, an addition regarding the remark shall be made in the Register of Shipping.

Subsection 5. If two conflicting rights to the same ship are notified on the same day, each of the documents shall be registered with a remark about the other document. If both rights notified are documents of title, an addition to the Danish International Register of Shipping as mentioned in subsection 4 shall be made as at the same time the title holders are urged to, within a set time limit pursuant to subsection 2, settle their relationship by taking legal proceedings or in some other way. The same shall apply if two conflicting rights to the same ship are notified on the same day to the Danish International Register of Shipping or to the Danish Register of Shipping. If the time limit is exceeded, the additions shall be deleted from the Register, and the documents shall be deleted from the daybook.

Subsection 6. When a document has been registered or rejected, it shall be returned to the notifier who shall also receive requests for rectifying omissions and deficiencies. To the extent possible, the Registrar of Shipping should already at time of notification verbally urge the notifier to seek for the omission or deficiency to be rectified.

Subsection 7. Valid negotiable mortgage deeds shall be returned by registered post or in some other way by which the evidence is secured.

Section 18. If the declaration mentioned in section 9 has been received in copy, documents establishing rights concerning title, mortgage, restriction, execution, etc. may, upon the notifier's request, be registered with a time-limit of seven workdays to produce the original declaration. In special cases, the Registrar of Shipping may extend the time-limit at the notifier's request.

Subsection 2. Documents notified subsequently and within the time-limited stipulated shall be registered with a time-limit in the same manner.

Subsection 3. Liens that shall, as mentioned in section 9(3), be transferred to the Danish Register of Shipping shall be registered with the same time-limit.

Subsection 4. In case of registration with a time-limit, the document shall be entered in the Danish International Register of Shipping with a specification that the document has been registered with a time-limit and the time-limit shall be indicated. Furthermore, the document and the copy hereof shall be endorsed to this effect.

Subsection 5. If the original declaration is received within the time-limit stipulated, the rights registered with a time-limit shall be finally entered in the Danish International Register of Shipping with

legal effect from the same date as the registration with a time-limit. The documents registered with a time-limit may be submitted with a request that the Danish International Register of Shipping states on the documents that the registration is final. These rights shall have legal effect from the same date as the registration with a time-limit.

Subsection 6. If the original declaration has not been received at the expiry of the time-limit, the Registrar of Shipping shall refuse registration of the documents registered with a time-limit and, as a consequence hereof, the ship and the rights notified shall be deleted from the Danish International Register of Shipping.

Section 19. In the Danish International Register of Shipping, each ship has its own electronic page (the ship's page). On the ship's page, the ship's distinctive number or letters, type and tonnage measurements as well as a brief summary of the information mentioned in section 2 and section 5 are given. In connection with the register, a record is kept of the names of the ships registered.

Subsection 2. A document shall be entered on the ship's page through a brief statement of:

- 1) its nature,
- 2) its issuer,
- 3) for whom it has been issued, and
- 4) the date of the entry in the daybook.

Subsection 3. As regards documents of title, the registration date of the document of title shall also be entered on the ship's page.

Subsection 4. For leases, the time conditions shall be stated, and for mortgages, the amount of the mortgage debt, ranking and place of residence of the mortgage creditor shall be stated.

Subsection 5. For mortgage deeds, rate of interest and terms of repayment may be stated.

Subsection 6. When a ship is deleted from the Danish International Register of Shipping, it shall be transferred to a historic register with an endorsement on the reason for and the date of deletion from the register.

Subsection 7. In connection with the Danish International Register of Shipping, a shipping company register shall be kept where the companies whose ships are recorded in the register are listed with information about which ships each shipping company owns. For each ship, a reference shall be made to the ship's page.

Subsection 8. If a ship is transferred from or to another Danish register, the rights and obligations which are still registered shall be transferred to the ship's page in this register and new significant number or letters shall be allocated.

Section 20. After the registration, a scanned copy of the document registered shall be furnished with a registration endorsement in the ship's file.

Section 21. If a decision made by the Registrar of Shipping pursuant to section 71 is brought before the Danish High Court, a note of this shall be entered in the daybook and on the ship's page.

Part 3
Changes to registered information

Section 22. When a partnership or a limited partnership or an association for registration notifies new documents with changes to that already registered, written notification of the changes as well as documentation of the circle of liable participants shall be submitted. The notification shall be signed by those authorised to sign for the owner(s), cf. section 2(4). Incoming participants or members of the board of directors who are not Danish citizens shall, furthermore, make a declaration of nationality as referred to in section 3(4).

Subsection 2. The Registrar of Shipping may, in very special circumstances, make exemptions from these provisions with regard to individual signatures, cf. section 2(5) and section 5(4).

Subsection 3. New documents for registration shall also be accompanied by written notification of changes regarding the corresponding shipowner. This notification shall be made by the board of directors of the relevant company or association. The same shall apply to the adoption since the last registration of new provisions regulating the powers to sign in the event of sale and mortgaging of ship.

Subsection 4. As regards companies admitted to the Central Business Register (CVR), the Registrar of Shipping shall, of his own account, acquire the information necessary for the registration. Information stating that the company meets the nationality requirements shall be given on a special form.

Subsection 5. If a part-owner shipping company has elected a new managing shipowner, the part owners shall notify this in writing.

Subsection 6. If the owner is a foreign company, the owner shall notify in writing changes to the information which has been notified to the Register pursuant to section 3(4) and section 5(1).

Subsection 7. If changes are made regarding a ship's type, main dimensions, tonnage or operating power, the shipping company shall notify the change to the Registrar of Shipping no later than 30 days after the change took place. The duty of notification shall be considered as completed if the change has been notified to the Danish Maritime Authority within the time limit stipulated.

Section 23. If a registered ship or ship's share in a registered ship is sold, duty of notification of this shall rest with both seller and buyer. The seller shall be obliged to issue a conveyance to the buyer.

Subsection 2. If the new owner is not already registered as the owner of a Danish ship or ship's share, a notice of registration shall be given as referred to in section 2(3) as well as a declaration of nationality as referred to in section 5(1). If the owner is already registered, it shall be stated in writing which ships or ship's shares the owner is already the registered owner of.

Section 24. Any change to the information notified to the Danish International Register of Shipping shall be notified to the Registrar of Shipping no later than 30 days after the change has taken effect. The Registrar of Shipping may extend this time limit.

Subsection 2. The duty to notify rests with the owner.

Subsection 3. A person who through conditional title acquires rights to the ship shall be deemed the owner in relation to the public from the date of notification, cf. section 10(1).

Subsection 4. Transfer to private administration of an estate shall be deemed a change in title. The same shall apply for retention of undivided possession of an estate with regard to ships of which the deceased spouse was the registered owner.

Subsection 5. Commencement of bankruptcy proceedings, public administration and administration of the estate of a deceased person shall not be deemed changes in title, but the trustee, the probate court or executor shall submit notification of this to the Registrar of Shipping without delay.

Part 4

Public access to registration, etc.

Section 25. The daybook, the Danish International Register of Shipping and the register of shipping companies are open to the public. The ship's files shall not be loaned out, but shall be available to the public under supervision.

Subsection 2. The Registrar of Shipping may, upon request, issue transcripts of the ship's page or the document duplicates in the ship's files. Transcripts from the ship's page shall include registered and notified rights that have not been deleted.

Subsection 3. If rights are stated on the ship's page after a ship's deletion from the register, transcripts and declarations shall state that these rights have not lapsed.

Part 5

Certificates of nationality

Section 26. A ship which has been notified for registration shall not operate without being furnished with a certificate of nationality.

Subsection 2. When a ship has been registered and the necessary information about the ship's tonnage and operating power is available, a certificate of nationality for the ship shall be issued by the Registrar of Shipping. The certificate shall be delivered by the Registrar of Shipping or through the Danish Maritime Authority or a Danish foreign representation. The certificate contains information about the ship's name, port of registry, type, gross and net tonnage as well as the owner.

Subsection 3. Before a certificate of nationality is delivered:

- 1) the distinctive number or letters allocated to the ship shall be marked clearly and indelibly on the ship in a conspicuous place within the ship's permanent structure, and
- 2) the ship's name and port of registry shall be marked on the stern or, if this is not possible, in an appropriate place as close to the stern as possible. The ship's name shall also be marked on the ship's sides. The name shall be painted in Latin letters in a light colour on a dark ground or vice versa with the name above the port of registry. If the name consists of two or more words, there shall be a blank priority between each word of no less than the width of a letter. The letters shall be easily legible. The height shall be no less than eight cm and the thickness of the line no less than 1.2 cm.

Subsection 4. If the ship has been furnished with a temporary certificate of nationality, this certificate shall be revoked at the same time as the final certificate of nationality is released.

Section 27. The Registrar of Shipping may draw up a temporary certificate of nationality for a stipulated period in the following circumstances:

- 1) For a Danish ship that has not yet been registered, when it is completed or when it has been purchased abroad. The issue shall be conditional upon the ship having been notified for registration and an esti-

mate of the evidence presented offering sufficient grounds for presuming that the ship meets the registration requirements.

- 2) For a registered Danish ship, when its certificate of nationality is not on board.
- 3) For a Danish ship registered with a time limit.

Subsection 2. The Registrar of Shipping may extend the validity of a temporary certificate of nationality.

Subsection 3. In special circumstances, the Danish Maritime Authority may draw up a temporary certificate of nationality as stipulated in subsection 1.

Section 28. When a ship has been built or purchased abroad and is taken over in a foreign port, the Danish foreign representation may be authorised by the Registrar of Shipping to issue a temporary certificate of nationality for the ship when the ship has been registered or notified for registration. If the ship has been notified for registration, the issue shall be conditional upon an estimate of the evidence presented offering sufficient grounds for presuming that the ship meets the registration requirements. The temporary certificate of nationality may be issued for a period not exceeding one year.

Subsection 2. The Registrar of Shipping may extend the validity of a temporary certificate of nationality issued by a Danish foreign representation beyond one year from the date of issue.

Section 29. If, after a review of the evidence presented, the Registrar of Shipping finds that the ship must be rejected for registration, or if the shipping company fails to procure the evidence necessary for the ship's registration, the validity of the temporary certificate of nationality shall cease and be revoked by the Registrar of Shipping. The shipping company shall, at the request of the Registrar of Shipping, be obliged to hand over the certificate.

Section 30. A certificate of nationality filled with writing or damaged may be exchanged with a new certificate. A new certificate of nationality may also be issued when the former certificate is lost according to a declaration from the shipping company. At the same time, the shipping company shall undertake to immediately return the certificate if it should reappears.

Section 31. If there are changes with regard to the matters relating to a ship which pursuant to section 26(2) shall be stated in the certificate of nationality, the Registrar of Shipping shall issue a new certificate. The Registrar of Shipping may, in special circumstances, request the Danish Maritime Authority or a Danish foreign representation to make a few less important corrections to a certificate of nationality. The shipping company shall be obliged to submit the certificate or assist where necessary so that the certificate can be submitted.

Subsection 2. A new name and port of registry shall not be marked on the ship until the change has been registered and the amendment has been made in the certificate of nationality.

Section 32. The certificate of nationality shall be kept on board at any time and shall be presented to the authorities upon request.

Subsection 2. Additions to or endorsements on a certificate of nationality shall be made only by the Registrar of Shipping, the Danish Maritime Authority or a Danish foreign representation or by a person or company authorised for this by the Danish Maritime Authority.

Section 33. The mandatory marking of ships under sections 26 and 28 with name, port of registry and distinctive number or letters as well as changes in this shall be carried out as soon as possible after the registration, irrespective of whether the ship is in trade, and shall, no later than 30 days after this, be presented to the authorities. Within the same time limit, a statutory certificate on marking shall, on demand, be submitted to the Registrar of Shipping.

Section 34. The owner of the ship shall ensure that the marking mentioned is maintained properly, that it is not deleted, changed, made unidentifiable or hidden. Names or numbers shall not be painted on a ship other than the ones under which it is registered in the Danish International Register of Shipping.

Section 35. When a ship is deleted from the Danish International Register of Shipping, its certificate of nationality or statement from the shipping company that the certificate has gone lost shall be submitted to the Registrar of Shipping. At the same time, the shipping company shall undertake to immediately return the certificate if it should reappear.

Subsection 2. If the ship has been deleted from the register pursuant to section 39(1), (2) and (6), the distinctive number or letters showing that the ship is Danish shall be deleted.

Subsection 3. If a ship, pursuant to section 6 and section 11(3) of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) is transferred from or to the Danish Register of Shipping, the ship's former distinctive number or letters shall be deleted and the Registrar of Shipping shall allocate new distinctive numbers or letters.

Part 6

Deletion of ships from the Danish International Register of Shipping

Section 36. A ship shall be deleted from the Danish International Register of Shipping if

- 1) the owner can no longer be considered to be Danish, cf. section 1(2) of the merchant shipping act (*søloven*),
- 2) the owner no longer meets the conditions laid down pursuant to section 2 of the merchant shipping act (*søloven*), or
- 3) the conditions stipulated in section 1(2) of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) are no longer met, cf., however, section 39(3) of this order.

Subsection 2. In addition, a ship shall be deleted if

- 1) the ship is transferred or becomes the property of someone who cannot be considered to be Danish, cf. section 1(2) of the merchant shipping act (*søloven*), or
- 2) the ship does not meet the conditions laid down pursuant to section 2 of the merchant shipping act (*søloven*), cf., however, section 39(3) of this order.

Subsection 3. However, subsection 2 shall not apply if the conditions stipulated in the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) are met and the transferee requests in writing that the ship shall continue to be registered.

Subsection 4. In addition, a ship shall be deleted that has been admitted to the register pursuant to section 2 of the merchant shipping act (*søloven*), at the owner's written request, cf. however section 39(3) of this order.

Subsection 5. A ship that has been admitted to the register pursuant to section 1 of the merchant shipping act (*søloven*) shall be deleted upon the owner's request if the intention is to have the ship admitted to a foreign register and the ship is administered, controlled and directed effectively from Denmark, cf. however section 39(3). A ship that has been admitted to the register pursuant to section 1 of the merchant shipping act (*søloven*) may also be deleted upon the owner's written request if the ship is admitted to the register in another country that is a member of the European Union or is covered by the agreement on the European Economic Cooperation and is operated from there or has any other real affiliation with the country concerned, cf. however section 39(3).

Subsection 6. Furthermore, ships shall be deleted that are scrapped, wrecked lost or declared irreparable by appointed surveyors and valuers, by an approved classification society or in some other way similar to these, cf. however, section 39(3) of this order.

Subsection 7. For the purposes of this order, a ship shall not only be considered irreparable when it is assessed, through a legal survey, that either it cannot be repaired or that such repairs cannot be made where the ship is located or in any other place to where it may be brought, but also when it is at the same time assessed that the ship is not worthy of repair.

Subsection 8. Moreover, the Registrar of Shipping may delete ships which do not comply with the conditions concerning area of trade and use in section 4 of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*), cf. however, section 39(3) of this order. If the owner is Danish – or the owner meets the conditions stipulated in section 2 of the merchant shipping act (*søloven*) – the Registrar of Shipping shall transfer the ship to the Danish Register of Shipping with all rights and obligations.

Subsection 9. A ship which is sold by forced sale abroad to someone who cannot be considered a Danish owner or who does not meet the conditions stipulated pursuant to section 2 of the merchant shipping act (*søloven*), shall be deleted from the Danish International Register of Shipping only if, on the date of the sale, the ship is situated in the state in which the forced sale takes place and on the condition that the sale is in accordance with the legislation of the state in question and the International Convention of 1967 for the Unification of Certain Rules relating to Maritime Liens and Mortgages, cf. however, section 39(3) or this order.

Section 37. If a ship is lost, scrapped, condemned or sold to a foreign buyer or if the owner no longer meets the nationality criteria stipulated in sections 1 and 2 of the act on the Danish International Register of Shipping, the owner(s) shall notify the Registrar of Shipping hereof in writing, cf. section 2(3). If the nationality criteria may be expected to be settled or there are prospects of the ship being procured or rescued, the Registrar of Shipping may postpone the deletion. The Registrar of Shipping may postpone the deletion if the conditions that may bring about deletion, cf. section 36(1), (2) and (4), may be expected to be settled or there are reasonable prospects of the ship being procured or rescued or repaired before the expiry of a time limit stipulated by the Registrar of Shipping.

Subsection 2. The owner of the ship shall be responsible for notifying the Registrar of Shipping of any condition that will result in deletion of the ship immediately after the owner has become aware of this condition. The notification shall be accompanied by the necessary documentation. If a ship is lost, notification of deletion shall be submitted when the date occurs when the insurance amount is payable pursuant to section 71 of the act on insurance agreements (*forsikringsaftaleloven*).

Subsection 3. On sale of a ship to a foreign buyer, the notification shall be submitted on a special form enclosed with the conveyance by which the ship is sold.

Subsection 4. Notification pertaining to a ship's loss shall be submitted on a special form and shall include a description of the particulars of the loss. If the notification does not include the necessary information, a transcript of a maritime inquiry may be required to supplement the notification.

Subsection 5. A notification of scrapping shall be furnished with a certificate from a public authority on completion of the scrapping.

Subsection 6. Notification of condemnation shall be accompanied by a transcript of the condemnation activity or other confirmation of the legal performance of the condemnation.

Section 38. In connection with deletion of the ship from the Danish International Register of Shipping, the right to the ship's name shall be lost. The right to the ship's name may, however, at the request of the owner be reserved for a period of three years from the date of deletion unless the ship is transferred to the Danish Register of Shipping.

Section 39. Deletion from the Danish International Register of Shipping shall not take place until notification of this has been sent by the Registrar of Shipping to the holders of the notified rights and a period of 30 days has passed from issue of the notification unless the notified rights holders give written consent to deletion or it has been documented that the rights have lapsed. The notification shall be sent by registered mail or in any other manner whereby proof is secured.

Subsection 2. Deletion may, however, not take place if there is information that a notified rights holder has taken legal steps to exercise his rights over the ship unless the legal proceedings do not continue without undue delay or the final decision refuses continuance of prosecution.

Subsection 3. Neither may deletion take place if there are registered liens or mortgages on the ship unless the holders of the registered liens or mortgages provide written consent for deletion. Instead, the circumstances giving rise to deletion shall be noted on the ship's page and, subsequently, no rights shall be registered in the ship. The right to allow the ship to fly the Danish flag and the right in the ship's name are lost. The ship's certificate of nationality shall be delivered to the Registrar of Shipping in accordance with section 35(1).

Subsection 4. The provisions in subsections 1, 2 and 3 shall not apply to transfer to the Danish Register of Shipping.

Subsection 5. If a ship is notified for deletion from the Danish International Register of Shipping in order to be transferred to a foreign register, and if the conditions for deletion of the ship are met, the Registrar of Shipping shall, on request, issue a declaration that the ship has been deleted or will be deleted from the register on the same date that it is documented that the ship has been registered in the foreign register, however no later than 30 days from the issue of the declaration. If such a declaration has been issued, rights shall no longer be notified for registration.

Subsection 6. If rights are stated on the ship's page, certification of deletion of the ship shall include information on the contents of these rights.

Section 40. A ship shall not be deleted from the Danish International Register of Shipping if it is re-measured and set at a gross tonnage less than 20.

Part 7
Effects of the registration of rights

Section 41. Rights to the ships registered on the Danish International Register of Shipping shall be registered in order to obtain protection for agreements regarding the ship and against legal proceedings.

Subsection 2. The right which is to defeat an unregistered right shall be registered itself and the transferee under an agreement shall be in good faith.

Subsection 3. Decisions to deprive persons of their legal capacity pursuant to section 6 of the act on guardianship (*værgemålsloven*) shall be registered in order to apply to agreements concerning the ship which are entered into in good faith with the legally incompetent person.

Section 42. In order for a document to be registered, its contents shall involve stipulating, establishing, amending or cancelling a property right, a mortgage, a right of use or a right which restricts the owner's ability to act in one or more specified ways.

Subsection 2. When a mortgage deed, which is a negotiable instrument, has been registered, transfer of the mortgage need not be registered.

Section 43. Maritime liens and rights of retention shall not be registered and without registration have the legal status stated in the merchant shipping act (*søloven*).

Section 44. Registration of arrest, execution, judgment or any other public judicial act regarding a ship shall require that the notifier submit a declaration from the authority which has carried out said act or a transcript of its records. The act shall relate to the person who, according to the register, is authorised to have charge over the ship or the ship's share.

Section 45. The contents of a document notified for registration shall be final. For letters of indemnity, however, it shall be sufficient to state a maximum amount for the debt.

Subsection 2. Any private document regarding a registered ship shall appear as issued by the person who, according to the Danish International Register of Shipping or for mortgages according to assignment, is authorised to have the right or as issued with said person's consent.

Section 46. If the document does not fulfil the conditions for registration laid down in sections 12-15 and 42-45, it shall be rejected.

Subsection 2. If there is an omission which it is considered can be rectified, the Registrar of Shipping may, however, stipulate a time limit for provision of the necessary evidence required for registration so that the document will only be rejected on the expiry of this time limit.

Subsection 3. If a document has not stated the entitled mortgagee's priority position, or if this has been stated in a manner which contradicts the register, or if there are minor inconsistencies between the contents of the document and the evidence submitted, a remark to this effect shall be notified and the contents of the remark shall be entered in the register.

Section 47. Deletion of registered rights may be carried out provided there is written consent from the person who is entered in the register as so entitled, or provided there is evidence that the right has lapsed according to its contents or by order of the court or other court decision.

Subsection 2. Deletion of mortgage deeds, which are negotiable instruments, shall require submission of the mortgage deed duly receipted, proof for cancellation, or cessation according to a decision of the courts. Mortgage deeds to the Treasury and the lending institutions established by the state may, however, at the discretion of the Registrar of Shipping, be deleted against signature by the person entitled according to the register.

Section 48. In the absence of any other decision, the legal effect of the registration shall be counted from the day the document is notified to the Danish International Register of Shipping.

Subsection 2. Documents notified on the same day shall be considered as notified at the same time for registration purposes. In case this causes confusion about the conditions of title, the documents shall be registered to be deleted again if the notifier has not – within a time limit stipulated by the Registrar of Shipping – provided clarity about the conditions of title.

Subsection 3. Rights and obligations which are transferred from a foreign register and from or to the Danish Register of Shipping pursuant to section 6 and section 11(3) of the act on the Danish International Ship Shipping (*lov om Dansk Internationalt Skibsregister*) and section 9(4) of this order shall retain the legal status they had before the transfer.

Section 49. When a document has been registered in the register, no challenge to the document's validity shall be made to an acquirer according to registered agreements acting in good faith. The same shall apply to any acquirer according to assignment of a mortgage deed which is a negotiable instrument.

Subsection 2. A challenge to such an acquirer acting in good faith that the document is a forgery or counterfeit or that its issue has been procured unlawfully through physical force or threat of immediate use of such, or the issuer of the document was legally incompetent shall, however, be retained.

Subsection 3. The regulations in subsections 1 and 2 shall not apply with regard to rights transferred from foreign registers pursuant to the regulation in section 9(4).

Part 8 *Mortgages, etc.*

Section 50. In the absence of other agreements, a registered right in a ship shall include machinery, boilers, motors, radio equipment, echo sounders, instruments and other accessories which have been procured at the cost of the owner for installation on the ship, even in the event they are temporarily detached from the ship.

Subsection 2. Special rights shall not be established or reserved in the components of a ship or the accessories mentioned.

Section 51. If a registered mortgage on a ship ceases in part or in full or if it turns out not to have been validly established, notwithstanding any agreement to the contrary with a subordinated mortgagee or others, the owner shall be entitled to possess, either immediately or later, the resulting available priority with a new mortgage unless the owner relinquishes this right when the mortgage lapses or later. If the mortgage is deleted without the owner exploiting his right to possess the available priority with a new mortgage, on request it shall be noted in the register that the previous mortgage is now accorded to the owner. If the note has not been made, the subordinated parties entitled shall move up in the available priority. In the event of a forced

sale, available priority shall fall to the other parties holding rights in the ship. The same shall apply if the ship is sold by a bankruptcy or estate in which the heirs disclaim liability, by some other means than a forced sale.

Subsection 2. The regulations stipulated in subsection 1 shall also apply to priority reserved by the owner to establish mortgages at a later date.

Subsection 3. It shall, however, be possible in a subordinated mortgage deed to decide validly that the mortgage according to this mortgage deed moves up as a priority mortgage is repaid or when this priority mortgage right is completely realised at a specific date stated in advance. In these circumstances, a reduction in the amount to be repaid or any other suspension of repayment of the loan shall not be agreed without the consent of the subordinate mortgagee. A postponement of the payment of instalments by the priority mortgagee shall not mean that the capital of the subordinate mortgagee becomes due, whereas the subordinate mortgagee may in such case demand that the amount due be paid as repayment of the debt. In the event that more than one subordinate mortgagee applies this right, the repayment shall fall to the mortgagee with the best priority.

Section 52. If the mortgage deed stipulates that the principal amount and the debt outstanding be adjusted in line with a specific index (index-linked mortgage deeds), notwithstanding section 51(3), 1st clause, in a subordinated mortgage deed it may be decided validly that the mortgage according to this move up as the index-linked mortgage is repaid or discharged in accordance with the time schedule stipulated in the mortgage deed.

Subsection 2. Section 51(3), 2nd-4th clauses, shall apply correspondingly.

Section 53. If an available priority in the ranking is taken over by an index-linked mortgage deed and if the index adjustments mean that the mortgage exceeds the available priority, the surplus part of the mortgage shall rank after all the subordinated and equal rights holders in the ship at the date the index-linked mortgage deed was established. The owner may, however, reserve another specific available priority to expand the index-linked mortgage.

Subsection 2. The subordinated rights holders in subsection 1, 1st clause, which pursuant to section 51(3) or section 52 have a right to move up after a previously higher-ranked mortgage shall move up after registration of the index-linked mortgage to the extent they are entitled according to the contents of the previous mortgage. The part of the index-linked mortgage which is then displaced from the higher-ranked mortgage priority shall have the same priority as the surplus parts of the mortgage pursuant to subsection 1.

Subsection 3. If an available priority in the ranking is taken over by an index-linked mortgage deed, the subordinated or equal rights holders mentioned in subsection 1, 1st clause, who do not receive full cover from the bid given in a forced sale may demand the ship to be sold by open outcry on new terms that the index adjustment shall be disregarded in the future. The index adjustment shall not, however, be disregarded to the extent that extension of the index-linked mortgage could fill priorities which are reserved for such extension in priority to the rights holders previously mentioned and which have been covered by the auction bid. The 1st clause shall not apply if the index adjustment stipulated cannot allow the mortgage to exceed the priority available.

Subsection 4. Subsections 1-3 shall not apply in relation to the subordinated or equal rights holders mentioned in subsection 1, 1st clause, who have given consent for the index-linked mortgage deed to take over the available priority.

Section 54. A mortgagee shall not, after giving the debtor an extension of the time for payment of interest or similar, retain his mortgage to these in priority to the subordinated or equal mortgagees for more than one year from the due date. If a mortgagee is entitled to a higher interest rate or other special payment in connection with late payment, such entitlement shall also rank behind other mortgagees' rights. These regulations shall not, however, apply to letters of indemnity.

Subsection 2. A mortgagee shall not, without the consent of those, after him, subordinated or equal rights holders in the ship, enter into an agreement with the debtor for a longer period in which the mortgage may not be terminated by the debtor than was originally agreed when the subordinated or equal rights were established.

Subsection 3. Other changes in the terms of the mortgage or its effect need not have the consent of the previously mentioned rights holders. Decisions to the contrary shall be void.

Part 9

Bareboat registration

For the Danish flag

Section 55. Notification for registration of a ship which is not deemed to be Danish pursuant to section 1 of the merchant shipping act (*søloven*) and which is bareboat chartered by a shipowner that fulfils the conditions in section 1 or 2 of the merchant shipping act (*søloven*) shall be submitted on a special form.

Subsection 2. The form shall contain information about the ship, the registered owner, the owner's representative, the charterer, the agreed bareboat charter period, the registration period requested, and information about in which foreign register the ship is registered and the distinctive number or letters of the ship.

Subsection 3. The Danish International Register of Shipping may require the documentation necessary to decide whether the provisions of the merchant shipping act (*søloven*) have been met.

Section 56. The following shall be enclosed with the notification:

- 1) The original bareboat agreement or an extract from the agreement in Danish or English.
- 2) A certificate from the foreign register stating that the ship is entitled to fly another flag of nationality during the period of the bareboat charter.
- 3) An extract from the register showing who is the registered owner of the ship as well as the provisions on who is entitled to sign for the registered owner.

Section 57. If the charterer is not already registered as a shipowner in the Danish International Register of Shipping, the information mentioned in section 5 shall be submitted.

Section 58. A separate page for the ship shall be created in the Danish International Register of Shipping.

Section 63. Ships which are bareboat registered shall fly the Danish flag.

For foreign flags

Section 60. Notification of a Danish ship registered in the Danish International Register of Shipping for bareboat charter to a shipowner who is not deemed to be Danish pursuant to section 1 or 2 of the merchant shipping act (*søloven*) shall be submitted on a special form.

Subsection 2. The notification shall contain information about the charterer, the charterer's representative, the agreed bareboat charter period, the requested period of registration as well as information about in which country's register the ship shall be registered.

Section 61. The following shall be enclosed with the notification:

- 1) The original bareboat agreement, or an extract from the agreement, in Danish or English.
- 2) A certificate from the foreign register stating that the ship may be registered there notwithstanding that the ship is still registered in the Danish International Register of Shipping.
- 3) Written consent from the holders of the notified rights that the ship is allowed to change flags.

Section 62. On the ship's page, the bareboat agreement or an extract hereof shall be registered.

Section 63. The nationality certificate of the ship shall be forwarded to the Danish International Register of Shipping for annulment.

Section 64. Danish ships which are bareboat registered in a foreign register shall not fly the Danish flag during the period of the charter.

Extension of the period of registration

Section 65. Registration of bareboat chartering may be extended by up to one year at a time, cf. section 11a(1), 3rd clause, and section 11c(2), 2nd clause, of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*). A notification of extension of an existing bareboat charter registration shall be made on a special form.

Subsection 2. In case of extension of registration for the Danish flag, cf. sections 55-59, the notification for extension shall be signed by the one(s) authorised to sign for the bareboat charterer or by an agent against presentation of an original letter of attorney signed by the one(s) authorised to sign for the bareboat charterer.

Subsection 3. In case of extension of registration for a foreign flag, cf. sections 60-64, the form shall be signed by the ship's owner(s), the one(s) authorised to sign for the ship's owner(s) or by an agent against presentation of an original letter of attorney signed by the one(s) authorised to sign for the ship's owner(s).

Section 66. The registration period requested shall be contained in the period of the bareboat charter as this is evident from the bareboat agreement.

Subsection 2. Documentation of the extension of the bareboat agreement in the form of a signed addition or the like shall be presented if the period of extension is not contained in the already received bareboat agreement. The documentation shall be accompanied by an authorised translation into Danish or English if it is worded in another language than Danish or English.

Section 67. In case of extension of registration for the Danish flag, it shall be noted in the ship's page that the ship's right to fly the Danish flag has been extended. In addition, the period of extension shall be stated.

Section 68. In case of extension of registration for a foreign flag, it shall be noted in the ship's page that the ship's right to fly a foreign flag has been extended. In addition, the period of extension shall be stated.

Part 10 *Preclusion, etc.*

Section 69. If it is claimed that a right in a ship which has been registered in or notified to the Danish International Register of Shipping has been established, amended or cancelled, and said claim can be rendered probable but not proved, the Registrar of Shipping may, possibly against collateralisation, summon the persons who may have an interest in opposing the registration or deletion.

Subsection 2. The summons shall be as one insert in the Danish Official Gazette in an edition published on the first working day of a month. Notice shall be no less than four weeks from the announcement. As far as possible, separate notification shall be sent in registered letters to those who, according to the information available, may have an interest in the matter. At the discretion of the Registrar of Shipping, interested parties may also be summoned in a widely read newspaper or by some other appropriate manner. The costs of the summons shall be paid by the party making the request.

Subsection 3. In the event that the claim is unopposed, the Registrar of Shipping shall decide the matter in accordance with the claim.

Section 70. If, over a period of ten years, no reports are received on a ship which is registered in the Danish International Register of Shipping, and it is considered that the ship no longer exists, the Registrar of Shipping may decide to delete the ship from the register. However, the Registrar of Shipping may decide that deletion shall not take place until after the summons pursuant to the regulations laid down in section 69 have taken place.

Part 11 *Legal remedies*

Section 71. Decisions by the Registrar of Shipping pursuant to the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) and this order, cf. however subsection 4, may be brought before the Danish High Court in the high court jurisdiction in which the shipping company for the ship or its representative is has its place of registration by anyone with a legal interest in the decision.

Subsection 2. Decisions shall be brought within a time limit of 14 days from the day the decision was notified to the person. However, the Danish High Court may, when the application is filed within six months after this date, should circumstances warrant this, permit the decision of the Registrar of Shipping to be brought before the court. If such a permit is granted, the case shall be brought within 14 days.

Subsection 3. If specialist knowledge of maritime matters is deemed to be of significance, section 20b of the administration of justice act (*retsplejeloven*) shall apply.

Subsection 4. The relevant regulations on appeals in civil cases shall apply correspondingly, with the necessary relaxations, to bringing the case before, and procedure by the Danish High Court.

Subsection 5. Appeals against decisions made by the Danish High Court pursuant to subsection 1 shall not be made. However, the Danish Board of Appeal Permission may permit appeals against the decisions mentioned if the appeal concerns issues of a principled nature. Section 392(2) of the administration of justice act (*retsplejeloven*) shall apply by analogy.

Subsection 6. The Registrar of Shipping may, with future effect, reverse his own decision if new information becomes available or if the original decision was not to allow the request.

Subsection 7. Decisions by the Registrar of Shipping pursuant to section 1(4) of the act on the Danish International Register of Shipping (*lov om Dansk Internationalt Skibsregister*) may be brought before the Minister for Business and Growth.

Section 72. If a document has been reproduced incorrectly in the Danish International Register of Shipping or in the ship's file, or if it has not been registered in the register, or if it has been registered with an incorrect date of notification, the person wronged shall have a right to demand correction and compensation from the Treasury for the loss suffered.

Subsection 2. If, before the correction has been made, anyone in reliance on the contents of the Register of Shipping or the ship's file acquires a right in the ship through agreement, the court shall decide whether the right shall be awarded to the wronged party or to the acquirer acting in good faith such that compensation is awarded to the other party. The case shall be brought against the Registrar of Shipping on behalf of the public.

Section 73. In addition to the circumstances mentioned in section 72, the Treasury shall provide compensation for losses suffered as a consequence of a right being superseded pursuant to section 49(2), section 69 or section 70.

Subsection 2. In addition to this, the Treasury shall provide compensation for losses due to negligence by any person who assists in the registration.

Part 12

Penalty provisions

Section 74. Any person contravening section 5(1), section 6, section 22(1), (3) and (5)-(7), section 23, section 24(1), section 26(1), sections 29-30, section 31(2), sections 32-35 and section 37 shall be liable to punishment by fine.

Subsection 2. The right to have a certificate of nationality or to have a certificate of nationality prepared may be revoked for a period stipulated by the court under the regulations stipulated in sections 78 and 79 of the penal code (*straffeloven*).

Subsection 3. If a ship flies the Danish flag without being entitled to fly it, the person(s) guilty may be liable to punishment in accordance with the provisions of subsection 1.

Subsection 4. Companies, etc. (legal personalities) may be liable to punishment in accordance with the provisions of part 5 of the penal code (*straffeloven*).

Part 13
Entry into force

Section 75. This order shall enter into force on 6 October 2013.

Subsection 2. At the same time, order no. 416 of 12 June 1988 on the Danish International Register of Shipping shall be repealed.

Danish Maritime Authority, 1 October 2013

Henriette Bytoft Flügge / Marianne Mølgaard Bundgaard