

Translation: Only the Danish version has legal validity.

Order no. 449 of 10 May 2012 issued by the Danish Pilotage Authority

Order on the use of pilots

Pursuant to section 4, section 5 and section 34(4) of the pilotage act (*lodsloven*), cf. act no. 567 of 9 June 2006, the following provisions are laid down:

Part 1

General provisions

Chapter 1

Extension of the obligation to use a pilot

Section 1. A ship under tow shall use a pilot in dredged channels or buoyed fairways leading to ports or past ports.

Subsection 2. When the ship under tow is unmanned or cannot be propelled by its own means, the ship under tow shall use a pilot.

Subsection 3. A ship that shall use a pilot pursuant to subsections 1 and 2 shall be exempted from this requirement if:

- 1) the ship under tow has a gross tonnage below 150; or
- 2) the length of the ship under tow (l.o.a.) is below 28 metres.

Subsection 4. Ships under tow or towing from quay to quay within the same port area shall not use a pilot.

Section 2. A ship which pursuant to the pilotage act (*lodsloven*) or this order has an obligation to take a pilot and which

- 1) is bound for a Danish port;
- 2) is to reload to or from another ship in Danish territorial waters (STS operations); or
- 3) intends to anchor in Danish territorial waters;

shall not be covered by section 6 of the pilotage act (*lodsloven*) on exemptions from the obligation to use a pilot.

Subsection 2. Subsection 1(i) and (iii) shall not apply to the waters mentioned in section 16(i)-(iv).

Part 2

Definition

Section 3. Pursuant to section 4(2) of the pilotage act (*lodsloven*), the following definitions shall apply for the purposes of section 4(1) of the pilotage act (*lodsloven*):

- 1) Oil: Defined as in United Nations' international regulations; The International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78 Annex I), as amended.

Uncleaned cargo tanks: Ballasted ships whose tanks (including slop tanks) are not entirely cleaned and have not been rendered safe by means of inert air, after having been loaded with oil.

- 2) Chemicals: Defined as in United Nations' international regulations; The International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code), as amended, for substances in the pollution categories X, Y and Z in chapters 17-19.
- 3) Gases: Defined as in United Nations' international regulations; The International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code), as amended.
- 4) Bunker oil: Fuel oils and other types of oil products used to operate a ship.
- 5) Highly radioactive material: Material covered by United Nations' international regulations; The International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code) on the carriage by sea of irradiated nuclear fuel, etc.

Part 3 **Specific provisions**

Amagerværket Harbour and Prøvestenen Harbour

Section 4. Ships with a length (l.o.a.) of or above 90 metres shall use a pilot when arriving at and departing from the Amagerværket Harbour and the Prøvestenen Harbour.

Subsection 2. Subsection 1 shall not apply to ships with a length (l.o.a.) of up to 90 metres fitted with a bow propeller and sufficient engine power not covered by section 4 of the pilotage act (*lodsloven*).

Avedøreværket Harbour

Section 5. Ships with a length (l.o.a.) of or above 100 metres shall use a pilot when arriving at and departing from the Avedøreværket Harbour.

Subsection 2. Subsection 1 shall not apply to ships with a length (l.o.a.) of up to 100 metres fitted with a bow propeller and sufficient engine power not covered by section 4 of the pilotage act (*lodsloven*).

Draget, Mejlgrunden and Løgstør Shoal

Section 6. Ships with a draught above 3.1 metres shall use a pilot when passing the dredged channels at Draget, Mejlgrunden and over Løgstør Shoal.

Railway bridge across Limfjorden at Aalborg

Section 7. Ships with a length (l.o.a.) of or above 53 metres shall use a pilot when passing the railway bridge across Limfjorden at Aalborg.

Mariager Fjord

Section 8. When navigating Mariager Fjord, the following ships shall use a pilot:

- 1) Ships with a length (l.o.a.) of or above 60 metres; and
- 2) ships with a draught of or above 3.5 metres.

Nakskov Fjord

Section 9. When navigating Nakskov Fjord, the following ships shall use a pilot:

- 1) Ships with a draught of or above 6.6 metres;
- 2) ships with a breadth of or above 20 metres; or
- 3) ships with a length (l.o.a.) of or above 130 metres.

Karrebæk Fjord and Næstved Port

Section 10. Ships with a length (l.o.a.) of or above 55 metres shall use a pilot when arriving at and departing from Næstved Port through the extended channel in Karrebæk Fjord.

The Oddesund Bridge

Section 11. Ships with a length (l.o.a.) of or above 35 metres shall use a pilot when passing the Oddesund Bridge.

Odense Fjord and Canal

Section 12. Along the stretch between the Gabet and Lindø the following ships shall use a pilot:

- 1) Ships with a length (l.o.a.) of or above 100 metres; or
- 2) ships with a breadth of or above 15 metres.

Subsection 2. Along the stretch between Lindø and Odense Port and in connection with shifts within the area of Odense Port, the following ships shall use a pilot:

- 1) Ships with a length (l.o.a.) of or above 70 metres; or
- 2) ships with a breadth of or above 11 metres.

Randers Fjord

Section 13. When navigating Randers Fjord, the following ships shall use a pilot:

- 1) Ships with a length (l.o.a.) of or above 116 metres;
- 2) ships with a draught of or above 5.6 metres; or
- 3) ships with a breadth of or above 15.5 metres.

Skæring Beach and Skødshoved

Section 14. When navigating the prohibited area between Skæring Beach and Skødshoved, ships shall be obliged to use a pilot.

Hals Barre and Aalborg Port

Section 15. Ships with a draught of or above 6 metres shall use a pilot when passing the stretches between Hals Barre Lighthouse and Aalborg Port area.

Chapter 2

Relaxation of the obligation to use a pilot

Section 16. Section 4 of the pilotage act (*lodsloven*) shall not apply to:

- 1) Danish ships that, if flying a foreign flag, have a right to carry out the voyage concerned without a pilot;
- 2) ships designed for exclusively carrying liquid carbon dioxide in bulk; and
- 3) offshore supply vessels which, in accordance with international definitions, carry the following products in bulk:
 - a) Acetic acid;
 - b) hydrochloric acid;
 - c) hydrofluorid acid;
 - d) liquid carbon dioxide; or
 - e) liquid nitrogen.

Section 17. Section 4 of the pilotage act (*lodsloven*) shall not apply in the following waters:

- 1) The North Sea and the Skagerrak:
 - a) West of 10°39'E when the ship's distance to the base line is greater than 3 nautical miles.
 - b) North of 57°48'N and east of 10°39'E.
- 2) The Kattegat:
 - a) Route A north of 56°24'N if the ship's draught is less than 11 metres.
 - b) Route T north of 56°29'N if the ship's draught is below 11 metres.
- 3) Langeland Belt:
 - a) Route H south of 54°48'N.
 - b) Route T south of 54°48'N if the ship's draught is below 11 metres.
- 4) The Baltic Sea
Around Bornholm and Ertholmene when the ship's distance to the base line is greater than 3 nautical miles.

Chapter 3

Penalty

Section 18. Contraventions of this order shall be liable to punishment by fine or imprisonment for a term not exceeding one year.

Subsection 2. Legal personalities may be liable to punishment according to the regulations of chapter 5 of the penal code.

Chapter 4
Entry into force

Section 19. This order shall enter into force on 25 May 2012, cf. however subsection 3.

Subsection 2. At the same time, order no. 378 of 22 May 2008 on the use of a pilot shall be repealed.

Subsection 3. Sections 5, 9 and 13 shall enter into force on 1 September 2012.

Danish Pilotage Authority, 10 May 2012

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