

Translation: Only the Danish document has legal validity.

*Order no. 1761 of 2020 issued by
the Ministry of Industry, Business and Financial Affairs*

Order on the promulgation of the maritime spatial plan, etc.

In pursuance of section 13 of the Danish Act on Maritime Spatial Planning (*lov om maritim fysisk planlægning*), see Consolidated Act no. 400 of 6 April 2020, the following provisions are laid down:

Section 1. The Danish Maritime Authority is responsible for www.havplan.dk.

Subsection 2. The Danish Maritime Authority shall make the content set out in section 2 available to the public at www.havplan.dk.

Subsection 3. The Danish Maritime Authority shall manage the operation and development of the production system used for the content promulgated at www.havplan.dk.

Section 2. The maritime spatial plan and amendments to the maritime spatial plan will not be promulgated in the Danish Law Gazette (*Lovtidende*), but at www.havplan.dk.

Subsection 2. Consultations on proposals for the maritime spatial plan and proposals for amendments to the maritime spatial plan will be published at www.havplan.dk. Consultations will also be announced at the Danish consultation portal (*Høringsportalen*).

Subsection 3. Previously promulgated versions of the maritime spatial plan and previously promulgated amendments to the maritime spatial plan will be available through www.havplan.dk. Any previous version of the maritime spatial plan or a previous amendment of the maritime spatial plan must be clearly marked as such.

Section 3. The Danish Maritime Authority may display information (service information) at www.havplan.dk which is not part of the maritime spatial plan. It must clearly appear which pieces of information are part of the maritime spatial plan and which are service information.

Section 4. The Danish Maritime Authority shall take the measures necessary for effective maintenance, operation and protection of www.havplan.dk and shall ensure that the maritime spatial plan is freely available to the public. The availability may be limited or interrupted for short periods of time in connection with updating, system maintenance, breakdowns, etc.

Subsection 2. The Danish Maritime Authority shall ensure the existence of an identical facility with identical systems that can be used in case of breakdowns or other damage.

Subsection 3. The provision of subsection (1) will not prevent users from being precluded from access if they unlawfully attempt to obstruct access to or manipulate the maritime spatial plan.

Section 5. The Danish Maritime Authority shall take measures to ensure the authenticity and integrity of content promulgated at www.havplan.dk and shall keep an exact electronic copy thereof in a durable format.

Subsection 2. Service information falling within section 3 may be changed or updated if so decided by the Danish Maritime Authority.

Section 6. The Danish Maritime Authority shall ensure that facilities and systems used for

the promulgation and production of the maritime spatial plan comply with public standards for IT and data security applicable at any time, including ISO 27001. The Danish Maritime Authority shall lay down detailed internal provisions on security measures within the Authority itself in elaboration of the rules set out in this Order. Such provisions must, in particular, include organisational matters and physical security, including security organisation, administration of access control arrangements and authorisation arrangements as well as authorisation control.

Section 7. Only persons so authorised may have access to the production system of the maritime spatial plan. Users at the Danish Maritime Authority and at the Ministry of Industry, Business and Financial Affairs as well as persons performing assignments for businesses contracted by the Authority to conduct audits or provide operation and technical services must be authorised by the Danish Maritime Authority.

Subsection 2. The Danish Maritime Authority may grant preview access to the production system of the maritime spatial plan.

Section 8. The Danish Maritime Authority shall carry out computerised registration (logging) of the individual user's use of the production system of the maritime spatial plan.

Section 9. The Danish Maritime Authority may make a reprint of content that has been promulgated at www.havplan.dk. This may be done in exceptional cases only, directly connected with the time of promulgation of the content and exclusively in respect of obvious errors where it is deemed to be clear to everybody wherein the error lies.

Subsection 2. It must clearly appear that a reprint was made.

Section 9. Following the promulgation of content falling within section 2, the Danish Maritime Authority shall arrange for the storage of the version approved by the Ministry of Industry, Business and Financial Affairs in accordance with the Danish Archives Act (*arkivloven*).

Section 11. This Order enters into force on 15 December 2020.

Ministry of Industry, Business and Financial Affairs, 01.12.2020

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