

**Notice D from the Danish Maritime Authority,  
technical regulation on the construction and equipment, etc.  
of passenger ships engaged on domestic voyages<sup>1</sup>**

In pursuance of section 1(2), sections 3-5 and section 32 of the act on safety at sea (*lov om sikkerhed til søs*), cf. consolidated act no. 654 of 15 June 2010, as enacted by decree no. 882 of 25 August 2008 on the entry into force for Greenland of the act on safety at sea, the following is laid down after consultation with the Government of Greenland and by authority:

**Section 1.** This regulation shall, to the extent given in chapter I, apply to passenger ships and high-speed passenger craft engaged on domestic voyages, irrespective of the flag they are flying.

*Subsection 2.* The provisions on passenger ships and high-speed passenger craft engaged on domestic voyages in force so far shall continue to apply to existing ships unless otherwise provided in this regulation.

**Section 2.** More detailed regulations on the construction and equipment, etc. of the ships have been issued as separate parts as annexes to this regulation:

*Subsection 2.* The number, title and date of the separate parts are as follows:

D I	General provisions, dated 29 June 2011.
D II-1 A	Construction – Subdivision and stability, machinery and electrical installations, dated 29 June 2011.
D II-1 B-1	Intact stability, subdivision and damage stability, dated 29 June 2011.
D II-1 B-2	Specific stability requirements for ro-ro passenger ships, dated 29 June 2011.
D-II-1 C	Machinery, dated 29 June 2011.
D II-1 D	Electrical installations, dated 29 June 2011.
D II-1 E	Additional requirements for periodically unattended machinery spaces, dated 29 June 2011.
D II-2 A	Construction – Fire-protection, fire-detection and fire-extinction, dated 29 June 2011.
D II-2 B	Fire safety measures, dated 29 June 2011.
D II-2 N(1)	Additional requirements to the provisions of the Fire Safety Systems Code (FSS Code), chapter 5, paragraphs 2.1 and 2.2, dated 29 June 2011.
D II-2 N(2)	Additional requirements to the provisions of the Fire Safety Systems Code (FSS Code), chapter 5, dated 29 June 2011.
D II-2 N(3)	Additional requirements to the provisions of chapter 4 of the Fire Safety Systems Code (FSS Code), dated 29 June 2011.
D II-3	Accommodation, etc., dated 29 June 2011.
D II-4	(Reserved for later use).
D II-5	Load lines, dated 1 May 1999.
D III	Life-saving appliances, dated 29 June 2011.

---

1) This regulation contains provisions implementing Council Directive 2009/45/EU of the European Parliament and of the council on safety rules and standards for passenger ships, as amended. In addition, the regulations contains provisions implementing Regulation (EC) No. 725/2004 of the European Parliament and of the Council on enhancing ship and port facility security as well as Regulation (EC) No. 336/2006 of the European Parliament and of the Council on the

D IV	Radiocommunications. GMDSS, dated 29 June 2011.
D V	Safety of navigation, dated 29 June 2011.
D VI	Carriage of cargoes, dated 29 June 2011.
D VII	Carriage of dangerous goods, dated 29 June 2011.
D VIII	(Reserved for later use).
D IX	Management for the safe operation of ships, dated 29 June 2011.
D X	(Reserved for later use).
D XI	Special measures to enhance maritime security, dated 29 June 2011.
D XII-D XX	(Reserved for later use).
D XXI	Prevention of pollution by oil from ships, dated 29 June 2011.
D XXII	(Reserved for later use).
D XXIII	Prevention of pollution by harmful substances carried by sea in packaged form, dated 29 June 2011.
D XXIV	Treatment and storage of sewage, dated 29 June 2011 (the previous chapter D XX).
D XXV	Prevention of pollution by garbage from ships, dated 29 June 2011 (the previous chapter D XXIV).
D XXVI	Prevention of air pollution from ships, dated 29 June 2011.
D XXX	Council Directive 98/18/EC on safety rules and standards for passenger ships.

**Section 3.** The provisions of chapters I, II-1, II-2 and III have been drawn up on the basis of annex 1 of Council Directive 2009/45/EU on safety rules and standards for passenger ships, as amended most recently by Commission Directive 2010/36/EU.

*Subsection 2.* The provisions of chapter II-3 on the accommodation, etc., have been drawn up on the basis of the International Convention on Crew Accommodation, ILO Convention no. 92 of 18 June 1949 and no. 133 of 30 October 1970 as well as Directive of the European Parliament and of the Council 2003/24/EC.

*Subsection 3.* Chapter II-5 has been drawn up on the basis of Council Directive 2009/45/EU, as amended, and the International Convention on Load Lines of 5 April 1966 and the associated Protocol of 1988 with later adopted appendices and chapters. (The provisions of the Convention are printed in their entirety in chapter B II-5 of Notice B from the Danish Maritime Authority).

*Subsection 4.* The provisions of chapters IV to VI have been drawn up on the basis of Council Directive 2009/45/EU, as amended, as well as the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, and associated Protocols and Codes.

*Subsection 5.* The provisions of chapter VII have been drawn up on the basis of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, and associated Protocols and Codes as well as the Memorandum of understanding for the transport of dangerous goods in ro-ro-ships in the Baltic, as amended.

*Subsection 6.* The provisions of chapter IX have been drawn up on the basis of chapter IX of the International Convention for the Safety of Life at Sea (SOLAS) 1974, as amended, and associated Protocols and Codes, as well as Regulation (EC) No. 336/2006 of the European Parliament and of the Council of 15

---

implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC)

February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No. 3051/95.

*Subsection 7.* The provisions of chapter XI have been drawn up on the basis of chapter XI of the International Convention for the Safety of Life at Sea (SOLAS) 1974, as amended, and associated Protocols and Codes, as well as Regulation (EC) No. 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security.

*Subsection 8.* The provisions of chapters XXI, XXIII, XXIV, XXV and XXVI have been drawn up on the basis of annexes I, III, IV, V and VI of the International Convention for the Prevention of Pollution from Ships (MARPOL), 73/78 and the associated Protocol of 1997, as amended.

*Subsection 9.* Chapter XXX is a copy of the articles of Council Directive 2009/458/EU on safety rules and standards for passenger ships.

*Subsection 10.* Text in italics indicates that the text deviates from the above-mentioned source texts. In such case, it is either a question of supplementary or equivalent safety requirements or exemptions adopted under article 9 of Council Directive 2009/45/EU or of Danish guidelines that do not amend the substance, but explains special Danish conditions or the Danish interpretation of conditions that have been left to the Administration of the flag State in the source text. The reference “(R ...)” after the headline to the regulations in chapters II-1, II-2 and III refers to the equivalent regulation in the SOLAS Convention of 1974, as amended, which has formed the basis of the regulation.

**Section 4.** A copy of this regulation shall be carried on board Danish ships covered by it. This shall not preclude the use of an electronic medium provided that it is possible to read the regulation on board.

*Penalty, measures and entry into force, etc.*

**Section 5.** Contraventions of this regulation shall be punishable by fine or imprisonment for a term not exceeding one year.

*Subsection 2.* The penalty may be increased to imprisonment for a term not exceeding two years if

- 1) the violation has resulted in damage to life or health, or risk of such damage,
- 2) an injunction or order has previously been issued in connection with the same or equivalent situations, or
- 3) the violation has given or has been intended to give financial benefits to the transgressor or others.

*Subsection 3.* It shall be considered especially aggravating circumstances if the violation has resulted in damage to the life or health or risk of such damage to young persons below the age of 18, cf. subsection 2(i).

*Subsection 4.* If the financial benefit achieved is not confiscated, special consideration shall be given to the size of the achieved or intended financial benefit when determining the size of the fine, including supplementary fine.

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

**Section 6.** If the contravention is covered by the Decree on the entry into force on Greenland of the act on safety at sea, it may lead to measures in accordance with the penal code for Greenland.

*Subsection 2.* The special conditions mentioned in section 5(2) shall be considered aggravating circumstances.

*Subsection 3.* If the financial benefit achieved is not confiscated, cf. the penal code, section 116(1), special consideration shall be given to the size of the achieved or intended financial benefit when determining the size of the fine, including supplementary fine.

*Subsection 4.* If the contravener is a company, etc. (legal personalities), the legal personality as such may be liable to punishment by fine. If the contravener is the State, Greenland's Home Rule, a municipality, an inter-municipal enterprise covered by Section 64 of the Act of the Landsting (Greenland Parliament) on municipal councils and village councils, etc. or a village council, the relevant public authority shall be liable to punishment by fine.

*Subsection 5.* If the person in question does not live in Greenland, or if his tie to Greenland society is of such a rather loose nature that the preconditions for the application of the measures are not present, legal proceedings may be instituted in Denmark or the case may be sent for trial in Denmark.

**Section 7.** This regulation shall enter into force on 29 June 2011.

*Subsection 2.* The structural requirements contained in the provisions in force until now shall continue to apply to existing ships unless otherwise provided in this technical regulation.

<b>Notice D from the Danish Maritime Authority</b>									
<b>Dates of chapters from 29/3 1999</b>									
<b>Date of signature</b>	<b>29/3-99</b>	<b>23/3-00</b>	<b>16/9-02</b>	<b>24/10-03</b>	<b>2/11-04</b>	<b>1/5-05</b>	<b>22/09-06</b>	<b>24/4-07</b>	<b>26/5-11</b>
D I	1/5-99	1/7-00	1/10-02	1/11-03	1/11-04			1/5-07	26/5-11
D II-1 A	1/5-99								26/5-11
D II-1 B(1)	1/5-99		1/10-02						26/5-11
D II-1 B(2)					1/11-04				26/5-11
D II-1 C	1/5-99		1/10-02						26/5-11
D II-1 D and E	1/5-99								
D II-1 D			1/10-02						26/5-11
D II-1 E			1/10-02						26/5-11
D II-2 A	1/5-99		1/10-02					1/5-07	26/5-11
D II-2 B	1/5-99		1/10-02						26/5-11
D II-2 N(1)			1/10-02						26/5-11
D II-2 N(2)			1/10-02						26/5-11
D II-2 N(3)			1/10-02						26/5-11
D II-3	1/5-99				1/11-04				26/5-11
D II-4 (reserved)									
D II-5	1/5-99								26/5-11
D III	1/5-99		1/10-02	1/11-03					26/5-11
D IV	1/5-99	1/7-00	1/10-02					1/5-07	26/5-11
D V	1/5-99			1/11-03					26/5-11
D VI	1/5-99		1/10-02						26/5-11
D VII	1/5-99		1/10-02						26/5-11
D VIII (reserved)									
D IX	1/5-99						1/10-06		26/5-11
D X (reserved)									
D XI							1/10-06		26/5-11
D XII-XX (reserved)									

D XX (now XXIV)	1/5-99				1/11-04				26/5-11
D XXI	1/5-99						1/10-06	1/5-07	26/5-11
D XXII (reserved)									
D XXIII	1/5-99				1/11-04				26/5-11
D XXIV (previous XX)	1/5-99				1/11-04				26/5-11
D XXV (previous XXIV)									26/5-11
D XXVI						1/5-05	1/10-06	1/5-07	26/5-11
D XXX	1/5-99								26/5-11
Annex 1 A						1/5-05			26/5-11
Annex 1 B						1/5-05			26/5-11
Annex 1 C						1/5-05	1/10-06	1/5-07	26/5-11

*Danish Maritime Authority, 26 May 2011*  
Per Sønderstrup / Anne Marie Norderud-Poulsen

## **Introduction**

Notice D from the Danish Maritime Authority consists of a short regulation and a number of annexes in the form of chapters. The regulation contains the statutory basis, the application, the penalty and entry into force provisions and a list of the most recent revision of each individual chapter. Together the annexes and the annex parts form a consolidated version of Notice D from the Danish Maritime Authority reflecting current regulations on the entry into force date.

When future amendments are made to the chapters, a new consolidated version will be issued and enacted by the issuance of a new regulation. The numbering of the chapters corresponds to the numbering used in Notice B from the Danish Maritime Authority, and chapters that are not of relevance to passenger ships engaged on domestic voyages have been left out.

The regulation is followed by an overview of the chapter dates from the first promulgation in 1999.

### **Amendments**

The regulation is issued to implement Commission Directive 2010/36/EU amending Directive 2009/45/EC of the European Parliament and of the Council on safety rules and standards for passenger ships. In addition, the amendments to the annexes of the MARPOL Convention of relevance to the type of ship have been made, as adopted by the International Maritime Organization, IMO, by MEPC resolutions since the most recent version of the regulation. Furthermore, amendments have been made to chapter IV on radiocommunications and GMDSS as a consequence of SOLAS amendments.

### **Remarks to each individual chapter:**

#### **Chapter I – General provisions**

A new regulation 10-1 adds provisions on maintenance of the ship's condition after surveys.

Furthermore, references to other relevant EU legislation and international resolutions in force have been updated.

References to relevant provisions and definitions concerning high-speed craft have been expanded to cover the International High-Speed Craft (HSC) Code of 2000.

#### **Chapter II-1 – Construction – subdivision and stability, machinery and electrical installations**

In part A-1, regulation 1, new provisions have been inserted prohibiting the use of materials containing asbestos.

In regulation 2, requirements have also been inserted for the ship to carry a set of structural drawings. Finally, regulations on towing and mooring equipment have been added.

In part B-1, an updated reference has been inserted to the new Intact Stability Code of 2008, as adopted by

resolution MSC.267(85).

In part C, regulations 3 and 4, requirements for the drainage from ro-ro car decks have been inserted. The previous Danish national requirements have been kept to clarify the regulations.

In regulation 12, new requirements are introduced for the means of operating and controlling new ships' main and auxiliary engines.

In part D, regulation 2, requirements are introduced for emergency lighting in all cabins. In regulation 5 requirements are introduced for electrical equipment in spaces where inflammable mixtures may generate. The amendments shall apply to new ships built after 1 January 2012.

### **Chapter II-2 – Fire-protection, fire-detection and fire-extinction**

In part A, regulation 10, new requirements are introduced for fuel tanks with a content below 500 litres; this applies to new ships constructed after 1 January 2012 and to existing ships at the first periodic survey hereafter.

In regulation 11, a possibility of being granted exemptions from the fire-fighter's outfits is introduced based on the ship's and the crew's size.

In part B, regulation 6, stricter requirements are introduced for exits. In regulation 8, a possibility of using materials other than steel for the construction of staircases is introduced if the material offers similar protection.

Chapter II-2 N(1) has been revised so that the requirements of the FSS Code are incorporated.

### **Chapter II-3 – Accommodation, etc.**

In regulation 4, requirements for the dimensioning of discharges to ensure drainage from both condensation and fire-fighting have been introduced. In regulation 19, a possibility has been inserted for the surface treatment of drinking water tanks to be approved by health authorities accepted by the Danish Maritime Authority or by recognised organisations. Furthermore, provisions have been added to counter saltwater contamination of the freshwater system. In regulation 23, a requirement for the marking of exits with pictograms has been inserted.

### **Chapter III – Life-saving appliances**

In regulation 2, amended requirement have been introduced for immersion suits as well as requirements for a number of lifejackets suitable for children and infants.

In regulation 5-1, new requirements have been inserted for ro-ro passenger ships on marine evacuation systems as well as requirements for radar transponders for certain liferafts. In regulation 13, guidelines for the carrying out of drills have been inserted.

#### **Chapter IV – Radiocommunications, GMDSS**

A new regulation 4-1 on GMDSS satellite providers has been inserted. The provisions are aimed only at the Danish Maritime Authority.

Passenger ships of class D have been exempted from the provisions on an emergency panel, equipment for aviation frequencies, secondary means of alerting and methods for maintenance. Regulation 17 on radio recordings has been amended so that these recordings can be made in the ship's log or in a radio log. A new regulation 18 on position updating has also been introduced.

#### **Chapter V – Safety of navigation**

In regulation 21, a requirement has been inserted for all ships to carry an updated version of volume III of "the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual".

The application of regulation 22 on the visibility from the wheelhouse has been amended as regards the length criteria of ships and with provisions on ballast operations.

#### **Chapter VI – Carriage of cargoes**

The chapter has been revised so that provisions that are not of relevance to the type of ship have been left out. Furthermore, references to international codes, etc. have been updated.

#### **Chapter VII – Carriage of dangerous goods**

The chapter has been revised so that provisions that are not of relevance to the type of ship have been left out. Furthermore, references to international codes, etc. have been updated, and some editorial amendments have been made.

#### **Chapter XXI – Prevention of pollution by oil from ships**

The chapter has been updated in accordance with MARPOL amendments as regards definitions and requirements for oil residue tanks (sludge).

#### **Chapter XXVI – Prevention of air pollution from ships**

Stricter requirements for the emission of SO<sub>x</sub> and NO<sub>x</sub> have been introduced. The first new requirements for stricter SO<sub>x</sub> emissions entered into force on 1 July 2010 in the special emission control areas, while the first stricter requirements for NO<sub>x</sub> emissions entered into force on 1 January 2011.

#### **Annex 1 A – Safety certificates**

The specific certificates are no longer included in this technical regulation, but are available from the webpage of the Danish Maritime Authority.

#### **Annex 2 A – Load Line certificates**

The specific certificates are no longer included in this technical regulation, but are available from the



webpage of the Danish Maritime Authority.

**Annex 3 A – MARPOL certificates**

The specific certificates are no longer included in this technical regulation, but are available from the webpage of the Danish Maritime Authority.