

Translation. Only the Danish document has legal validity.

Order no. 1032 of 8 November 2011 issued by the Danish Maritime Authority

Order amending order on technical regulation on a vessel traffic monitoring and information system in Danish waters and ports

Section 1

The following amendments are made to order no. 1021 of 26 August 2010 on technical regulation on a vessel traffic monitoring and information system in Danish waters and ports:

1. Section 2(2) shall be as follows:
“ *Subsection 2.* Unless otherwise stipulated, this order shall not apply to:
 - 1) warships, naval auxiliaries and other ships owned or operated by a Member State and used only for public and non-commercial service;
 - 2) fishing vessels, traditional ships and recreational craft with a length of less than 45 metres; and
 - 3) bunkers on ships with a gross tonnage of less than 1,000 and stores rooms and equipment for use on board ships.”
2. In section 16, the following shall be inserted as a new subsection after subsection 1:
“*Subsection 2.* If a ship is towed according to a towing or rescue agreement, any measures taken pursuant to subsection 1(i) and (iv) may also cover the involved assistance or rescue personnel and the involved tugs.”
Subsequently, subsections 2-6 shall become subsections 3-7.
3. After section 16, the following shall be inserted:

“Treatment of information

Section 16a. Information that Danish authorities receive from foreign authorities pursuant to Directive 2002/59/EC, as amended by Directive 2002/17/EC, as amended by Directive 2009/17/EC, as well as information received by Danish authorities pursuant to this order shall, with the restrictions following from EU law and the general provisions of Danish law, including the act on open administration (*lov om offentlighed i forvaltningen*), be treated as confidential.

Subsection 2. Information received pursuant to subsection 1 may not be used against Directive 2002/59/EC, as amended by Directive 2009/17/EC.

4. The headline to section 17 shall be as follows:

“Penalty and entry into force, etc.”

Section 2

This order shall enter into force on 1 December 2011.

Danish Maritime Authority, 8 November 2011
Per Sønderstrup / Steen Møller Nielsen