

Translation: Only the Danish document has legal validity.

*Order no. 1817 of 15 of September 2021  
issued by the Danish Maritime Authority*

## Order on the construction and equipment of ships, small passenger ships, etc., on domestic voyages

Pursuant to Section 1(2 and 3), Section 3(1), Section 4(2), Section 5 and Section 32(9) of the Maritime Safety Act, cf. Order No. 1629 of 17 December 2018, and Section 1(2 and 3), Section 3(1), Section 4(2), Section 5 and Section 32(2) of the Order on the entry into force for Greenland of the Maritime Safety Act, cf. Order No. 1674 of 16 December 2015, shall be determined after authorisation in accordance with Section 1(1)(no. 3), in Order No. 261 of 23 March 2020 on the transfer of certain powers to the Danish Maritime Authority and on the right of appeal, etc., and Section 1(1)(no. 2), in Order No. 279 of 23 March 2020 for Greenland on the transfer of certain powers to the Danish Maritime Authority and on the right of appeal, etc.:

**Section 1.** This Order applies to passenger ships on domestic voyages with a length of less than 24 metres, as well as to other passenger ships on domestic voyages not covered by the Order on the construction and equipment of ships, etc., and passenger ships on domestic voyages, such as ships built of materials other than steel or equivalent.

*Subsection 2.* This Order shall not apply to:

- 1) Ships covered by the Order on technical regulations for special-purpose ships (ships worthy of preservation, recreational fishing boats, etc.).
- 2) Recreational craft not used for commercial purposes.
- 3) Fishing vessels.
- 4) Passenger ships which are:

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- a. Warships and troopships,
  - b. Wooden vessels of primitive construction,
  - c. Ships operating exclusively in port areas or lakes, etc,
  - d. Offshore service vessels; or
  - e. Tender boats performing tender services for a mother ship.
- 5) High-speed passenger crafts, which are:
- a. Warships and troopships,
  - c. Vessels operating exclusively in port areas or lakes, etc, or
  - c. Offshore service vessels.

**Section 2.** Passenger ships covered by this Order shall comply with the applicable Order on the construction and equipment of ships, etc., passenger ships on domestic voyages, subject to Subsections 2, 3 and 4 and Section 3(1).

*Subsection 2.* Section 7 and Article 9(4 and 5), Articles 10, 10a, 11, 16 and 16a of Annex 1 and Annex 3 to the Order on the construction and equipment of ships, etc., passenger ships on domestic voyages shall not apply to passenger ships covered by this Order.

*Subsection 3.* Passenger ships on domestic voyages with a length of less than 24 metres may dispense with the use of power-operated sliding doors referred to in the Order on the construction and equipment of ships, etc, implementation of the International Convention for the Safety of Life at Sea (SOLAS) 1974, Annex 3, paragraph B-2, Regulation 13, see Annex 1, paragraph 2, Chapter II-1, paragraph B, of the Order on the construction and equipment of ships, etc., passenger ships on domestic voyages. In this case, they must use hinged doors or sliding doors operated by hand alone instead. Such doors shall be closed before the voyage commences and shall be kept closed

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during the voyage. The times of opening these doors in port and of closing them before departure shall be recorded in the logbook.

*Subsection 4.* Section 5(No. 1) of the Order on the construction and equipment of ships, passenger ships on domestic voyages for passenger ships of Class D shall also apply to passenger ships of Class C and B with a length of less than 24 metres.

*Subsection 5.* The Danish Maritime Authority may, based on a formalised and individual risk assessment for each ship, waive the requirements arising from this Order if it is demonstrated that the ship meets an equivalent level of safety.

*Subsection 6.* The Maritime Authority's assessment of the level of safety in Subsection 5 may be based on IMO's MSC.1/Circ.1455 (Guidelines for the approval alternatives and equivalents) or alternative principles with equivalent levels of safety, taking into account the following overriding considerations:

- 1) The design, construction and maintenance of the ship and its systems shall ensure safety at sea, prevent injury and loss of life and avoid damage to the environment, in particular the marine environment, and to property.
- 2) Fire must be prevented, detected, controlled and extinguished, while maintaining essential safety systems during and after the outbreak of fire.
- 3) The risk of loss of life, the ship, its cargo and the environment due to fire shall be reduced.
- 4) Human life must be saved and preserved during and after an emergency, including potential evacuation of the ship.
- 5) Effective communication and the making and receiving of emergency calls must be ensured.
- 6) Safe navigation must be ensured.

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*Inspections and certificates*

**Section 3.** In the Passenger ship safety certificate form, references to Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships shall be replaced by references to this Order.

*Subsection 2.* Passenger ships covered by this Order shall, for the purpose of initial inspections, also be covered by the following Orders:

- 1) Order on an Inspection scheme for the safe operation of Ro-Ro passenger ships and high-speed passenger craft in service.
- 2) Order on port state control of ships.

*Penalty provisions and measures, etc.*

**Section 4.** An infringement of Section 2(1, 3 and 4) is punishable by a fine or imprisonment for up to 1 year.

*Subsection 2.* The penalty may increase to imprisonment for up to 2 years if

- (1) The infringement, including in connection with causing an accident at sea or sailing in breach of good seamanship, has caused injury to life or health or has created a danger thereof,
- (2) A prohibition or an order has previously been issued in respect of the same or a similar matter; or
- 3) The infringement has resulted in or is intended to result in a financial benefit for the person concerned or for others.

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*Subsection 3.* Where no confiscation of the proceeds of the infringement is ordered, the amount of any financial advantage obtained or intended shall be taken into account, in particular in the assessment of any fine, including any additional fine.

*Subsection 4.* Criminal liability may be imposed on companies or other legal persons in accordance with the rules laid down in Chapter 5 of the Criminal Code.

**Section 15.** If the matter is covered by an order on the entry into force for Greenland of the Act on Safety at Sea, measures may be taken in accordance with the Criminal Code for Greenland.

*Subsection 2.* The circumstances referred to in Section 4(2) shall be regarded as aggravating circumstances.

*Subsection 3.* If no confiscation of proceeds is made, cf. Section 120 of the Criminal Code for Greenland, the amount of any financial benefit obtained or intended shall be taken into account, in particular when imposing a fine, including an additional fine.

*Subsection 4.* Where an infringement is committed by companies or other legal persons, the legal person as such may be held liable to pay a fine. If the infringement is committed by the State, the Government of Greenland, a municipality, or a settlement board, the public authority as such may be held liable to pay a fine.

*Subsection 5.* If a person is not resident in Greenland, or if the person's connection with Greenlandic society is of such a loose nature that the conditions for the application of measures are not met, the case may be brought or referred for prosecution in Denmark, cf. Section 7 of the Greenland Criminal Code.

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*Entry into force. etc.*

**Section 6.** The Order shall enter into force on 19 September 2021.

*Subsection 2.* The following Orders are repealed:

- 1) Order No. 556 of 26 May 2011 on Notices from the Danish Maritime Authority D, technical regulation for the construction and equipment of ships, etc., passenger ships on domestic voyages.
- 2) Order No. 9787 of 24 April 2007 on Notices from the Danish Maritime Authority D, the construction and equipment of ships, etc., passenger ships on domestic voyages, initial regulation of 1 May 2007.
- 3) Order No 9788 of 24 April 2007 on Notices from the Danish Maritime Authority D, the construction and equipment of ships, etc., passenger ships on domestic voyages, Chapter I, General Provisions, 1 May 2007.
- 4) Order No. 9789 of 24 April 2007 on Notices from the Danish Maritime Authority D, the construction and equipment of ships, etc., passenger ships on domestic voyages, Chapter II -2, fire protection, detection and extinguishing of fire, 1 May 2007.
- 5) Order No. 9790 of 24 April 2007 on Notices from the Danish Maritime Authority D, the construction and equipment of ships, etc., passenger ships on domestic voyages, Chapter IV, radio communications GMDSS, 1 May 2007.
- 6) Order No. 9879 of 24 April 2007 on Notices from the Danish Maritime Authority D, D and E, the construction and equipment of ships, etc., Chapter XXI, Prevention of oil pollution from ships, 1 May 2007.

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- 7) Order No. 10610 of 24 April 2007 on Notices from the Danish Maritime Authority D, technical regulation for the construction and equipment of ships, etc., passenger ships on domestic voyages, Chapter II-3, living quarters, etc.
- 8) Order No. 10148 of 22 September 2006 on Notices from the Danish Maritime Authority D, the construction and equipment of ships, etc. Passenger ships on domestic voyages, Chapter XXVI, Prevention of air pollution from ships, 1 October 2006.
- 9) Order No. 10149 of 22 September 2006 on Notices from the Danish Maritime Authority D, the construction and equipment of ships, etc., passenger ships on domestic voyages, initial regulation of 1 October 2006.
- 10) Order No. 10150 of 22 September 2006 on Notices from the Danish Maritime Authority D, the construction and equipment of ships, passenger ships on domestic voyages, Chapter IX, Safe operation of ships, of 1 October 2006.
- 11) Order No. 10151 of 22 September 2006 on Notices from the Danish Maritime Authority D, the construction and equipment of ships, etc., passenger ships on domestic voyages, Chapter XXI, Prevention of oil pollution from ships, 1 October 2006.
- 12) Order No. 9782 of 10 May 2005 on Notices from the Danish Maritime Authority D, Technical regulation for the construction and equipment of ships, etc., passenger ships on domestic voyages of 1 May 2005.
- 13) Order No. 9780 of 24 October 2003 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc., Chapter I General provisions, 1 November 2003.

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14) Order No. 9781 of 24 October 2003 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc., Chapter III Life-saving devices, 1 November 2003.

15) Order No. 9782 of 24 October 2003 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc., Chapter V Safety of navigation, 1 November 2003.

16) Order No. 9499 of 1 January 2002 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-1 B Intact stability, subdivision and stability at sea, 1 October 2002.

17) Order No. 9500 of 1 January 2002 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-1 C, Machinery, 1 October 2002.

18) Order No. 9501 of 1 January 2002 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-1 D, Electrical installations, 1 October 2002.

19) Order No. 9502 of 1 January 2002 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-1 E, Additional requirements for periodically unattended machine rooms, 1 October 2002.

20) Order No. 9503 of 1 January 2002 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-2 A, Fire protection, fire detection and fire extinguishing, General Provisions, 1 October 2002.



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- 21) Order No. 9504 of 1 January 2002 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-2 B, Fire protection, fire detection and extinguishing, Fire safety measures, 1 October 2002.
- 22) Order No. 9505 of 1 January 2002 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-2 N(1), Construction, fire protection, fire detection and extinguishing, Annex to the provisions of the Fire Safety Systems Code (FSS Code), Chapter 5, Subsections 2.1 and 2.2, 1 October 2002.
- 23) Order No. 9506 of 1 January 2002 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-2 N(2) Construction, fire protection, fire detection and extinguishing, Annex to the provisions of the Fire Safety Systems Code (FSS Code), Chapter 5, 1 October 2002.
- 24) Order No. 9507 of 1 January 2002 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-2 N(3) Construction, fire protection, fire detection and extinguishing, Annex to the provisions of Chapter 4 of the Fire Safety Systems Code (FSS Code), 1 October 2002.
- 25) Order No. 9509 of 1 January 2002 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D IV Radio Communications GMDSS, 1 October 2002.
- 26) Order No. 9510 of 1 January 2002 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D VI Carriage of cargoes by sea, 1 October 2002.

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- 27) Order No. 9511 of 1 January 2002 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D VII  
Transport of dangerous goods, 1 October 2002.
- 28) Order No. 10007 of 29 March 1999 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-1 A  
Construction subdivision and stability, machinery and electrical installations, 1 May 1999.
- 29) Order No. 10012 of 29 March 1999 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-5 Load  
lines, 1 May 1999.
- 30) Order No. 10054 of 29 March 1999 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D IX Safe  
operation of ships, 1 May 1999.
- 31) Order No. 10056 of 29 March 1999 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D XX  
Handling and storage of sewage, 1 May 1999.
- 32) Order No. 10058 of 29 March 1999 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D XXI  
Prevention of oil pollution from ships, 1 May 1999.
- 33) Order No. 10059 of 29 March 1999 on Notices from the Danish Maritime Authority D.  
Passenger ships on domestic voyages, construction and equipment, etc. Chapter D XXIII  
Prevention of pollution by harmful substances carried by sea in packaged form, 1 May 1999.

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34) Order No. 10061 of 29 March 1999 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc. Chapter D XXIV Prevention of pollution by waste, 1 May 1999.

35) Order No. 10267 of 29 March 1999 on Notices from the Danish Maritime Authority D. Passenger ships on domestic voyages, construction and equipment, etc. Chapter D II-3 Living quarters, etc., 1 May 1999.

36) Technical Regulation No. 9754 of 3 March 1998 on specific stability requirements for ro-ro passenger ships carrying water on deck on international voyages (The Stockholm Agreement).

37) Technical Regulation No. 17858 of 12 October 1995 on special requirements for the location, strength and securing of external bulkhead doors, weathertight ramps, etc., on ro-ro ships.

38) Technical Regulation No. 17857 of 3 August 1995 on additional intact stability requirements for existing passenger ships on international voyages.

39) Technical Regulation No. 10006 of 9 February 1994 on additional requirements for intact stability and watertight subdivision, etc., of existing passenger ships on domestic voyages.

40) Technical Regulation No. 10031 of 30 December 1987 concerning the seaworthiness of certain ships.

41) Technical Regulation No. 11447 of 18 August 2000 on the design of passenger ships for disabled passengers.

*Subsection 3.* For existing ships, the previously applicable design requirements shall continue to apply unless otherwise stated in this Order.

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*The Danish Maritime Authority, 15 September 2021*

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#### Official notes

<sup>1</sup> The draft Order has been notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification).