

Translation: Only the Danish document has legal validity.

*Executive Order no. 1550 of 29/11/2024*

*issued by the Danish Maritime Authority*

## **Executive Order on insurance or other guarantee to cover the owner's liability for wreck removal, etc.**

Pursuant to Sections 168(4) and 169(4) and 514a of the Danish Maritime Act, cf. Consolidation Act no. 1013 of 29 June 2023, as amended by Consolidation Act no. 1384 of 23 December 2012, it is stipulated:

**Section 1.** The registered owner of a ship flying the Danish flag with a gross tonnage of 20 or more must have insurance or other guarantee covering the owner's liability for wreck removal, etc., pursuant to Chapter 8a of the Danish Maritime Act. If the ship has a gross tonnage of 300 or more, it must also have a certificate confirming the existence of such insurance or other guarantee in order to sail.

*Subsection 2.* Applications for issuing certificates for Danish ships should be submitted to the Danish Maritime Authority. The application can be made electronically.

*Subsection 3.* The application must be accompanied by a declaration from the insurer or guarantor. The declaration must state that the owner of the ship has taken out insurance or provided other security to cover their liability as a result of the Wreck Removal Convention and must at least cover the liability limit resulting from Section 175 of the Danish Maritime Act, and that the insurer or the person who has provided the guarantee confirms that the insurance or guarantee covers the said liability, and in the case of a guarantee, what this consists of.

*Subsection 4.* The declaration must contain the following information:

- 1) the name of the ship,
- 2) the gross tonnage of the ship,
- 3) the ship's identification number or letters,
- 4) IMO ship identification number,
- 5) the ship's port of registry,
- 6) the registered owner's name and head office,
- 7) the name and head office of the insurer or guarantor; and
- 8) the validity period of the insurance or guarantee.

*Subsection 5.* The Danish Maritime Authority may require documentation that the insurer is authorised to conduct insurance business and is approved by the insurance supervisory authority in the country where the company has its business address or head office. In special cases, the Danish Maritime Authority may require that it is also documented that the company in question is solvent and can fulfil its obligations. Similar requirements can be placed on the company that wants to provide a guarantee.

The Danish Maritime Authority may require the applicant to provide documentation for this and may refuse to issue a certificate if the requirement is not met. The Danish Maritime Authority may also refuse to issue a certificate if it becomes aware of information that makes it likely that there is a risk that the company in question cannot fulfil its obligations.

*Subsection 6.* The application must state that the insurer or guarantor undertakes to indemnify any person who has a valid claim against the owner of the vessel for compensation for costs covered by the Wreck Removal Convention.

*Subsection 7.* If the Danish Maritime Authority finds that the insurance or guarantee is sufficient, a

certificate is issued to the ship. The certificate shall be drawn up in accordance with the model set out in the appendix.

*Subsection 8.* For ships covered by Subsection 1, which are owned by authorities, schools, institutions or similar covered by a municipal or regional self-insurance scheme, a declaration issued by the financial officer of the municipality or region that the liability of the ship in question is covered by the self-insurance scheme in accordance with Chapter 8a of the Danish Maritime Act shall be considered a sufficient guarantee. The declaration must be kept on board and presented to the authorities upon request. The Danish Maritime Authority also issues certificates to ships with a gross tonnage of 300 or more that are covered by such declarations.

*Requirements for certificates confirming insurance or other guarantee for foreign ships of 300 gross tonnage and above*

**Section 2.** For ships registered in a state that has acceded to the Wreck Removal Convention, certificates issued by the competent authority of that state are recognised. The certificate shall be drawn up in accordance with the model set out in the appendix.

**Section 3.** For ships registered in a state that has not acceded to the Wreck Removal Convention, certificates issued by a competent authority in a state that has acceded to the Convention are recognised. The certificate shall be drawn up in accordance with the model set out in the appendix.

**Section 4.** For ships registered in a state that has not acceded to the Wreck Removal Convention and that do not have a valid certificate, cf. Section 3, an application for issuing a certificate must be submitted to the Danish Maritime Authority when the ship in question wishes to enter or leave a Danish port or an offshore installation in Danish territorial waters after 13 April 2015. The application can be made electronically. Section 1(2-6) shall apply correspondingly.

*Subsection 2.* The application must be submitted and payment made no later than 14 days before the ship enters a Danish port or other place of loading or unloading in Denmark or on the Danish continental shelf or begins fixed operations in Danish territorial waters.

**Section 5.** The Danish Maritime Authority may issue certificates to ships registered in a state that has not acceded to the Wreck Removal Convention and that do not have a valid certificate, cf. Section 3, even if they are not covered by Section 4. Applications must be submitted to the Danish Maritime Authority. Section 1(2)-(6) shall apply correspondingly.

*Bareboat registered ships*

**Section 6.** For ships registered in Denmark but bareboat registered in the register of a foreign state, the Danish Maritime Authority may issue a certificate in accordance with the requirements in Section 1.

*Subsection 2.* If the ship is registered bareboat in a state that has acceded to the Wreck Removal Convention, certificates issued by the competent authority of that state are recognised. The certificate shall be drawn up in accordance with the model set out in the appendix.

*Subsection 3.* If the ship is registered bareboat in a state that has not acceded to the Wreck Removal Convention, certificates issued by a competent authority in a state that has acceded to the Convention are recognised. The certificate shall be drawn up in accordance with the model set out in the appendix.

**Section 7.** For ships that are owner-registered in a foreign country's register but are bareboat registered in Denmark, the Danish Maritime Authority may issue a certificate in accordance with the requirements in Section 1.

*Subsection 2.* If the ship already holds a valid certificate, a copy of the certificate must be submitted to the Danish Maritime Authority. The Danish Maritime Authority will then contact the issuing authority in the country where the ship is owner-registered to request that the Danish Maritime Authority is kept informed of any changes regarding the validity of the certificate.

### *Other provisions*

**Section 8.** A fee of DKK 315 is payable to the Danish Maritime Authority for issuing a certificate of valid insurance or guarantee.

**Section 9.** Certificates are issued for a fixed period of time, but no longer than the validity period of the insurance or guarantee. The certificate is only issued when payment according to Section 8 has been registered.

*Subsection 2.* Certificates pursuant to Section 4 are issued with a maximum validity period of three months. For ships operating permanently in Danish territorial waters, certificates may be issued with a longer period of validity, but not longer than the period of validity of the insurance or guarantee.

**Section 10.** The Danish Maritime Authority sends a copy of the certificate issued to the ship to the ship's owner or the person who has applied for the issue of a certificate on behalf of the owner, and for ships that are not Danish, to the ship register of the country concerned.

*Subsection 2.* The certificate shall be kept on board and be presented to the authorities upon request.

*Subsection 3.* The owner of a ship carrying a certificate issued by the Danish Maritime Authority is required to immediately return the certificate to the Danish Maritime Authority upon termination of the insurance or guarantee and when the validity of the certificate has expired.

*Subsection 4.* The owner of a ship that carries a certificate issued by the Danish Maritime Authority is required to notify the Danish Maritime Authority immediately if they become aware of amendments to the insurance or guarantee that affect the continued validity of the certificate.

**Section 11.** If the Danish Maritime Authority becomes aware of amendments to the insurance or guarantee that affect the continued validity of the certificate, the Danish Maritime Authority may, as appropriate, revoke the certificate.

**Section 12.** Any police, customs authority or port authority which, in the exercise of their official duties, observe a violation of this Executive Order, shall immediately report such a violation to the Danish Maritime Authority.

*Subsection 2.* The Danish Maritime Authority may, upon arrival at a Danish port, loading or unloading place or when a ship begins to operate, cf. Section 4(2), check whether it has the required certificate or declaration in accordance with Section 1(8).

**Section 13.** Violation of Section 10(2)-(4) is punishable by a fine.

*Subsection 2.* 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 14.** This Executive Order shall enter into force on 1 January 2025.

**Section 15.** The Executive Order does not apply to Greenland.

*The Danish Maritime Authority, 29 November 2024*

Kristina Ravn

/ Ditte Wiesener Rust

## Appendix 1

### **CERTIFICATE OF INSURANCE OR OTHER FINANCIAL SECURITY IN RESPECT OF LIABILITY FOR THE REMOVAL OF WRECKS**

Tracking No:

Issued in accordance with the provisions of article 12 of the Nairobi International Convention on the Removal of Wrecks, 2007.

Name of ship	Tonnage	Distinctive number or letters	IMO ship identification number	Port of registry	Name and full address of the principal place of business of the registered owner

This is to certify that there is in force, in respect of the above-named ship, a policy of insurance or other financial security satisfying the requirements of article 12 of the Nairobi International Convention on the Removal of Wrecks, 2007.

Type of Security	
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Duration of Security	
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Name and Address of the Insurer(s) and/or Guarantor(s)

Name	
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Address	
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This certificate is valid until	
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Issued or certified by the Government of	Kingdom of Denmark by the Danish Maritime Authority
	Full designation of the State

in		on	
	Place		Date

Signature and Title of issuing or certifying official