

Translation: Only the Danish document has legal validity.

*Order no. 1293 of 12/11/2025*

*issued by the Danish Maritime Authority*

## Order on the rules of procedure for the Danish Shipping Appeals Board

Pursuant to Section 4(5) of Act no. 1432 of 21 December 2005 on the acquisition of the right of use of Danish ships stipulates:

**Section 1.** The Danish Shipping Appeals Board is appointed by the Minister for Industry, Business and Financial Affairs in accordance with Section 4(1) of the Act on the acquisition of the right of use of Danish ships.

*Subsection 2.* The Board consists of a chairperson and six other members, all appointed by the Minister for Industry, Business and Financial Affairs. Of the six ordinary members, three are nominated by Danish Shipping (Danske Rederier), two by the seafarers' organisations, and one by the Danish Maritime Authority. For each member, a deputy is appointed in the same manner.

*Subsection 3.* The chairperson, members, and deputies are appointed for four years and may be reappointed.

**Section 2.** In the event of a member's absence, the deputy appointed for the member shall, as far as possible, act in their place. If the appointed deputy is also absent, the member may choose to be represented by another deputy. Deputies may otherwise be summoned to participate in the Board's meetings without voting rights and are kept informed of developments as necessary.

*Subsection 2.* In the acquisition of the right of use of ships, the Board may summon representatives of the relevant shipping companies to discuss the issues at hand.

*Subsection 3.* The Board may also summon experts as it deems necessary.

**Section 3.** The Danish Shipping Appeals Board advises the Minister for Industry, Business and Financial Affairs on all maritime matters in connection with international crises that may affect the safety of Danish ships.

**Section 4.** The Danish Shipping Appeals Board is tasked with implementing the measures that are incumbent upon the board pursuant to the Act on the Acquisition of the Right of Use of Danish Ships.

*Subsection 2.* The Danish Shipping Appeals Board is responsible for ensuring that a ship, where the state has taken over the right of use following a government decision, is utilised in accordance with the maritime transport needs that formed the basis for the acquisition. This is done by the Board either chartering out the ship or instructing the shipping company to enter into a charter agreement with a charterer designated by the Board. In these cases, the Danish Shipping Appeals Board is responsible for setting the freight rate for the acquired ships. The Danish Shipping Appeals Board may also set conditions in connection with this.

*Subsection 3.* If the shipping companies suffer losses other than loss of freight income in connection with the acquisition of the right of use, the Board decides whether additional compensation should be provided to ensure full compensation is given.

*Subsection 4.* It is also incumbent upon the board to advise the Minister for Industry, Business and Financial Affairs in all maritime matters in connection with a decision on the acquisition of the right of use of a ship and in connection with a decision on whether such a measure is no longer necessary.

**Section 5.** The Danish Shipping Appeals Board also has the task, pursuant to Section 2(3) of the Act on the Acquisition of the Right of Use of Danish Ships, to enter into preliminary agreements with the shipping companies regarding the designation of a number of groups of suitable ships, among which ships can be selected for use in the situations mentioned in the Act's Section 1(1)(3) and (4).

*Subsection 2.* The Board must inform the Minister for Industry, Business and Financial Affairs if it encounters difficulties in entering into agreements on the designation of ships pursuant to Section 2(3) of the Act.

**Section 6.** For a decision to be made by the Board, the chairperson or their deputy, and at least three other members or deputies must participate.

*Subsection 2.* Decisions are made by majority vote. In the event of a tie, the vote of the chairperson or their deputy is decisive.

**Section 7.** The chairperson or their deputy convenes the Board for a meeting as often as they find it necessary. Furthermore, the chairperson or their deputy must convene the Board for a meeting upon at least two members' request.

*Subsection 2.* The time and place of the Board's meetings are determined by the chairperson or their deputy, who ensures that the members and, possibly, the deputies are summoned to the meetings.

**Section 8.** The Danish Shipping Appeals Board may conduct its activities abroad if circumstances require this.

*Subsection 2.* If the chairperson or their deputy is present at the location from which the Danish Shipping Appeals Board can best conduct its activities under the given circumstances, they shall continue to serve as the chairperson or their deputy. Otherwise, the head of the Danish representation accredited in the respective country is authorised to appoint a chairperson who must be knowledgeable in shipping and shipping companies.

*Subsection 3.* The aforementioned head of representation is also authorised, as necessary and after negotiations with the chairperson or their deputy, to appoint new members of the tribunal, ensuring this is done in compliance with Section 1(2), if possible.

*Subsection 4.* Already appointed members or deputies who are or may become able to participate in the Board's work in a situation covered by Subsection 1, remain members of the Board.

**Section 9.** The secretarial functions of the Board are managed by the Danish Maritime Authority and Danish Shipping, which, among other things, coordinate with other authorities. The Board may, as necessary, engage additional assistance.

**Section 10.** The members, deputies, and assistants of the Danish Shipping Appeals Board perform their duties under the responsibility according to Sections 152 - 152f of the Criminal Code.

**Section 11.** Minutes are kept of the Board's proceedings, which are signed by the members and the secretariat. The chairperson or their deputy ensures the execution of the Board's decisions in accordance with the resolutions and signs on behalf of the Board.

**Section 12.** The rules of procedure come into force on 1 January 2026.

*Subsection 2.* Order no. 946 of 7 September 2006 on the rules of procedure for the Danish Shipping Appeals Board is repealed.

*The Ministry of Industry, Business and Financial Affairs, 12 November 2025*

Morten Bødskov

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