

Act amending the merchant shipping act and the act on safety at sea

(Liability limitation amounts in connection with wreck removal, implementation of international sanctions related to ship registration, port dues according to civil law, etc.)

WE, MARGRETHE THE SECOND, by the Grace of God Queen of Denmark, hereby make known:
The Folketing has passed and we have given our Royal Assent to the following Act:

Section 1

In the merchant shipping act (*søloven*), cf. consolidated act no. 75 of 17 January 2014, as amended, inter alia, by section 1 of act no. 1384 of 23 December 2012 and section 3 of act no. 400 of 2 May 2016 and most recently by section 10 of act no. 670 of 8 June 2017, the following amendments shall be made:

1. In *section 3(2)*, "shall be kept on board and" shall be deleted.
2. After *section 11*, the following shall be inserted:
"Section 11a. The Registrar of Shipping may decide that ships covered by restrictive measures or owned by natural or legal persons covered by restrictive measures decided by United Nations or the European Union cannot be admitted to a Danish register of shipping."
3. In *section 12(4)*, the first sentence, "section 15(3) and sections 22-39" shall be amended to: " section 15(3), the first sentence, and sections 22-39, 45 and 46".
4. The following shall be inserted after *section 17*:
"Section 17a. The Registrar of Shipping may decide to delete a ship from a Danish register of shipping if the ship is covered by restrictive measures or is owned by natural or legal persons covered by restrictive measures decided by the United Nations or the European Union, cf. however section 20(1)-(3). The Registrar of Shipping may deny to delete a ship pursuant to section 17(4) or (5), the first sentence, if it must be considered to have been established – either according to the shipowner's information or in some other manner – that the ship is to be registered in a country covered by restrictive measures."
5. *Section 19(2)* shall be as follows:
"Subsection 2. The notification shall be accompanied by the necessary proof."
6. *Section 20(3)*, the fourth sentence, shall be repealed.
7. *Section 51(1)(ii)* shall be as follows:
"2) Public and private legal port dues, canal and other waterway dues as well as pilotage dues."
8. In *section 168(1)*, the second sentence, "section 175" shall be replaced by "section 175(4)".

9. In *section 175*, the following shall be inserted after subsection 2 as a new subsection:
"Subsection 3. The limitation amount for claims arising from the localisation, marking and removal of a wreck shall be 2,000,000 SDR for ships that are not passenger ships exclusively engaged in regular service. For such ships with a tonnage above 1,000, the limitation amount shall be increased as follows:
1) for each tonne from 1,001 to 2,000 by 2,000 SDR,
2) for each tonne from 2,001 to 10,000 by 5,000 SDR, and
3) for each tonne above 10,001 by 1,000 SDR."
Subsequently, subsections 3-6 shall become subsections 4-7.
10. In *section 175(4)*, which becomes subsection 5, "subsections 1-3" shall be amended to "subsections 1-4".
11. In *section 175(6)*, the first sentence, which becomes subsection 7, the first sentence, "subsections 1-3" shall be amended to "subsections 1, 2 and 4".
12. In *section 176(2)*, "section 175(3)" shall be amended to "section 175(4)".

Section 2

In the act on safety at sea (*lov om sikkerhed til søs*), cf. consolidated act no. 72 of 17 January 2014, as amended most recently by section 3 of act no. 463 of 15 May 2017, the following amendment shall be made:

1. *Section 21(8)* shall be repealed.

Section 3

Subsection 1. This act shall enter into force on 1 January 2018.

Subsection 2. Regulations laid down pursuant to section 175(6) of the merchant shipping act (*søloven*) shall remain in force until they are repealed or replaced by new regulations.

Section 4

Subsection 1. This act shall not apply to the Faroe Islands and to Greenland, cf. however subsections 2-4.

Subsection 2. Sections 1 and 2 may be put into force by royal decree in full or partly for Greenland with the amendments deriving from the Greenland conditions.

Subsection 3. Ships registered in Greenland shall be covered by section 1 if the ship is fully or partly owned or has – after 1 March 2018 – been fully or partly owned by persons who are not domiciled in Greenland or by companies or the like that are not domiciled in Greenland.

Subsection 4. Section 1(vii)-(xii) may be put into force fully or partly for the Faroe Islands with the amendments deriving from the Faroese conditions.

Christiansborg Castle, 19 December 2017

MARGRETHE R. / Brian Mikkelsen