

Order on pilotage, etc. around Greenland

In pursuance of section 1(3), section 3, section 6 and section 32 of the act on safety at sea (*lov om sikkerhed til søs*), cf. consolidated act no. 72 of 17 January 2014, as enacted for Greenland by royal decree, cf. consolidated decree no. 1674 of 16 December 2015, as well as in pursuance of section 8(3), section 12(2) and (3), section 14(3), section 24(7), section 26a, section 26b and section 34(4) of the pilotage act (*lodsloven*), act no. 567 of 9 June 2006, as amended by act no. 478 of 30 May 2012 and act no. 1231 of 18 December 2012, as enacted for Greenland by decree no. 985 of 24 August 2014, by authority and following consultation with the Government of Greenland, the following is laid down:

Part 1

Definitions

Section 1. For the purposes of this order, the following definitions apply:

- 1) Pilot: A person who has been certified to pilot by the Danish Maritime Authority.
- 2) Pilot certificate: A certificate issued by the Danish Maritime Authority to certify that the holder is authorised to perform specific pilotage assignments.
- 3) Pilotage area: The geographical area in which a pilot is authorised to pilot according to his pilot certificate.
- 4) Pilot trainee: A person who is acknowledged by the Danish Maritime Authority to be undergoing training to become a pilot.
- 5) Pilot trainee ID card: A certificate issued by the Danish Maritime Authority to certify that the holder is being trained to become a pilot and is entitled to participate in training in the company of a pilot.

Part 2

Pilot certificate

Section 2. The pilot certificate is issued upon application if the applicant

- 1) has been trained to a level at which the applicant is entitled to navigate ships irrespective of their size,
- 2) has at least two years' experience as a master or chief mate from relevant voyages,
- 3) can prove adequate knowledge of electronic nautical charts (ECDIS),
- 4) possesses a valid health certificate without annotations, cf. the provisions of the Danish Maritime Authority,
- 5) has undergone pilotage training, cf. part 3,
- 6) has undergone training in the company of a pilot, cf. part 4,
- 7) has special knowledge and experience of the geographical pilotage area applied for, cf. part 5,
- 8) has passed a defined theoretical and practical aptitude test, cf. part 6, and
- 9) is associated with a pilotage service provider that is registered in accordance with section 24 of the pilotage act (*lodsloven*).

Subsection 2. The Danish Maritime Authority may grant exemptions from the provisions of subsection 1(i)-(ii). However, a pilot certificate shall never be issued for piloting ships that the pilot is not qualified to navigate.

Subsection 3. The pilot certificate shall state in which pilotage areas the person concerned is authorised to perform pilotage assignments. The certification may be restricted to, for example, pilotage during a specific season, to ships of a specific size or to parts of a pilotage area.

Subsection 4. If a health certificate according to subsection 1(iv) is encumbered with annotations, the Danish Maritime Authority may request further information in order to assess whether the applicant is able to fill the position as a pilot.

Section 3. The pilot certificate shall be drawn up in accordance with the provisions of annex 1.

Subsection 2. The pilot certificate shall be issued for a period of five years.

Subsection 3. A pilot certificate may be withdrawn if

- 1) the holder has contravened the conditions of a pilot certificate, provisions of the pilotage act (*lodsloven*) or provisions issued in pursuance of the pilotage act (*lodsloven*), or
- 2) there are otherwise conditions rendering it unadvisable for the holder to continue to perform pilotage assignments.

Section 4. If a pilot assesses that it is not possible to maintain the required level of local experience, the pilot may obtain experience by participating in training in the certified pilotage area in the company of a pilot before expiry of the period.

Part 3

Pilot training requirements

Section 5. The training mentioned in section 2(1)(v) shall include the following:

- 1) Bridge Resource Management and Emergency Training course for pilots,
- 2) ship manoeuvring for pilots,
- 3) pilotage law course for pilots,
- 4) courses on arctic conditions for pilots, and
- 5) personal safety course for pilots.

Subsection 2. The requirements for the contents of the courses mentioned above are described in the education and training plan for pilots in Greenland issued by the Danish Maritime Authority.

Subsection 3. The courses mentioned in subsection 1(i)-(iv) shall be completed at least every 5 years, while the course mentioned in subsection 1(v) shall be completed at least every 3 years.

Part 4

Training in the company of a pilot

Section 6. The Danish Maritime Authority shall issue pilot trainee ID cards on application if the pilot trainee fulfils the requirements of section 2(1)(i).

Subsection 2. The pilot trainee ID card shall be drawn up in accordance with the provisions of annex 1.

Subsection 3. The pilot trainee ID card shall be issued for a period of one year.

Section 7. Pilot trainees shall participate in training in the company of a pilot in each pilotage area applied for.

Subsection 2. The pilot responsible for the training shall be a certified pilot.

Subsection 3. The pilot trainee or the pilot may contact a pilotage service provider or a certified pilot, which will then let the pilot or the pilot trainee come along and take part in the pilotage assignment in the pilotage area in which training in the company of a pilot is requested.

Subsection 4. Nobody shall be obliged to take along more than one person for training in the company of a pilot for the same pilotage assignment.

Subsection 5. The pilot trainee or the pilot shall bear any costs associated with training in the company of a pilot.

Part 5

Requirements for local knowledge

Section 8. Applicants for pilot certificates shall be able to document extensive knowledge of the pilotage areas, including be able to document voyages of rather long duration in Greenland waters. In addition, they shall have the necessary knowledge about Greenland and Greenland conditions.

Subsection 2. In addition to documentation of seagoing service (discharge book), applicants shall be able to account in detail for the acquired local knowledge. The account shall be accompanied by statements, etc. from employers on the type and extent of the employment.

Subsection 3. In each individual case, the Danish Maritime Authority will make an individual assessment of whether the documentation requirement has been met and whether the local knowledge is sufficient.

Subsection 4. Applicants and holders of a pilot certificate shall electronically forward documentation to the Danish Maritime Authority on the voyages/pilotage assignments in the individual pilotage areas. The forwarding shall be made by means of the reporting system of the Danish Maritime Authority.

Part 6

Aptitude test for obtaining a pilot certificate

Section 9. The practical part of the aptitude test shall consist of the undertaking of a pilotage assignment in the area to which the application relates.

Subsection 2. The theoretical part of the aptitude test shall consist of a test lasting approx. four hours, in which the applicant is examined on local knowledge in each pilotage area applied for.

Subsection 3. The aptitude test shall involve a pilot who has taken part in training in the company of a pilot and an external examiner appointed by the Danish Maritime Authority.

Subsection 4. The applicant may decide on the time and place of the aptitude test.

Subsection 5. The applicant shall pay any costs in connection with this, including preparation, hourly wages and travelling expenses etc.

Part 7

Measures

Section 10. Measures may be laid down in accordance with the criminal code (*kriminalloven*) for Greenland for contraventions of sections 2-9.

Subsection 2. When deciding on the measures, it shall be regarded as aggravating circumstances if:

- 1) the contravention has caused damage to life or health or risk of such damage;

- 2) an injunction or order has previously been issued in connection with the same or equivalent situations;
or
- 3) the contravention has produced or has been intended to produce financial benefits to the contravener or others.

Subsection 3. If the profits gained through the contravention are not confiscated in pursuance of the provisions of the criminal code (*kriminalloven*), particular account shall, when meting out penalties, including additional penalties, be taken of the scale of any economic benefit achieved or sought.

Subsection 4. If the contravention has been committed by companies, etc. (legal entities), liability to pay a fine may be incurred by the legal entity as such. If the contravention has been committed by the State, the Government of Greenland, a municipality, a municipal cooperative covered under section 64 of the Landsting act on municipal councils and local authorities, etc. or a local authority, liability to pay a fine may be incurred by the relevant public authority as such.

Penalty provisions

Section 11. If the relevant party is not resident in Greenland or his connection to Greenland society is otherwise so remote that the prerequisites for measures to be taken do not exist, legal proceedings may be instigated or the case may be referred for trial in Denmark.

Subsection 2. Contraventions of sections 2-9 shall be liable to punishment by fine or imprisonment for a period not exceeding one year.

Subsection 3. The penalty may be increased to imprisonment for a period not exceeding 2 years if

- 1) the contravention has caused damage to life or health or risk of such damage;
- 2) an injunction or order has previously been issued in connection with the same or equivalent situations;
or
- 3) the contravention has produced or has been intended to produce financial benefits to the contravener or others.

Subsection 4. Companies etc. (legal personalities) may be liable to punishment according to the provisions of part 5 of the penal code (*straffeloven*).

Part 8

Entry into force

Section 12. This order shall enter into force on 1 July 2016.

Subsection 2. Section 2(1)(vi) and part 4 shall enter into force on 1 January 2017.

Danish Maritime Authority, 11 December 2015

Troels Blicher Danielsen / Michael Skov

The design and contents of certificates and id cards
The design and contents of the pilot certificate

I. Design of the pilot certificate:

The pilot certificate shall be designed as shown here:

<div style="background-color: red; color: white; padding: 2px; display: flex; justify-content: space-between; align-items: center;"> PILOT CERTIFICATE P- 306 </div> <p>Issued: - - Expiry date: - -</p> <p>Name: _____</p> <p>Born: - - - -</p> <p>Signature: _____</p> <p>Pilotage area(s): _____ (Limitation)</p> <div style="text-align: center; margin-top: 10px;"> </div>	<p style="font-size: 0.8em;">This pilot certificate is issued according to: The Danish Pilotage Act, Order no 567 of 9 June 2006</p> <p style="text-align: center; margin-top: 20px;">Issuing authority:</p> <p style="text-align: center; margin-top: 5px;"> Pilotage Superintendent </p> <p style="text-align: center; font-size: 0.8em; margin-top: 10px;"> Danish Pilotage Authority 1, Kastellet, DK-2100 Copenhagen Phone +45 7240 5480 - E-mail: opa@koddstzynet.dk </p>
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II. Contents of the pilot certificate:

The pilot certificate shall be in English.

On the front of the certificate the following shall be stated:

- flag of nationality
- name of the certificate
- the certificate's serial number
- a photo of the holder of the certificate
- date of issue
- expiry date
- name of pilot
- pilot's date of birth
- pilotage area(s)
- limitations, e.g. length and draught of ship.

On the reverse side of the certificate the following shall be stated:

- a reference to the pilotage act (*lodsloven*)
- the issuing authority's signature
- the Danish Maritime Authority's logo
- the issuing authority's name, address, phone number and email address.

The design and contents of the pilot trainee ID card

I. Design of the pilot trainee ID card:

The pilot trainee ID card shall be designed as shown here:

 PILOT TRAINEE ID-CARD P- 307	
Issued: .-. .-. Expiry date: .-. .-. Name: Born: .-. .-. Signature: _____ Pilotage area(s):	
This pilot certificate is issued according to The Danish Pilotage Act, Order no 567 of 9 June 2006	
issuing authority:  Pilotage Superintendent	
	
Danish Pilotage Authority 1, Kastellet, DK-2100 Copenhagen Phone +45 7240 5480 - E-mail: dpa@lodslovsynet.dk	

II. Contents of the pilot trainee ID card:

The pilot trainee ID card shall be in English.

On the front of the ID card the following shall be stated

- flag of nationality
- name of the card
- the card's serial number
- a photo of the card holder
- date of issue
- expiry date
- pilot trainee's name
- pilot trainee's date of birth
- pilotage area(s).

On the reverse side of the card the following shall be stated:

- a reference to the pilotage act (*lodsloven*)
- the signature of the issuing authority
- the Danish Maritime Authority's logo
- the issuing authority's name, address, phone number and email address.