

Order on tests and certificates for yachtsmen

The following is laid down pursuant to section 10a of the act on the manning of ships (*lov om skibes besætning*), cf. consolidated act no. 74 of 17 January 2014, and by authority:

Part 1

Certificates for yachtsmen

Section 1. This order covers the requirements for the following certificates:

- 1) Powerboat certificate, cf. the order on operators of powerboats;¹
- 2) Certificate of proficiency in yachting;
- 3) Certificate of proficiency in yachting (motor operation);
- 4) Certificate as a yacht master, 3rd class;
- 5) Certificate as a yacht master, 1st class;
- 6) SRC certificates entitling the holder to operate maritime VHF radio systems.²

Subsection 2. The test requirements for acquiring each of the certificates mentioned in the order are stipulated in sections 2-6.

Section 2. Powerboat certificates shall entitle the holders to operate recreational craft pursuant to the powerboat operator order.

Subsection 2. In order to acquire a powerboat certificate the person concerned shall have turned 16 years of age and have passed a test, cf. the powerboat operator order.

Subsection 3. The test shall ascertain whether the examinee is capable of functioning in an appropriate manner in terms of safety on board recreational craft covered by the powerboat operator order in coastal waters and ensuring the safety of own craft and the persons on board.

Subsection 4. The test shall cover the regulations for preventing collisions at sea, aids to navigation, safety at sea, fire prevention and fire fighting on board small craft, navigational provisions and protection of the marine environment.

Subsection 5. The examinee shall demonstrate satisfactory knowledge about:

- 1) the distribution of responsibility on board;
- 2) the duty to keep clear;
- 3) the collection and use of local navigational provisions; and
- 4) on-board behaviour and safety, including precautions to be taken in case of fire, grounding and collision.

Subsection 6. Furthermore, the examinee shall demonstrate a satisfactory level of competences within the areas below, which – combined with the acquired knowledge – enables the examinee to perform the responsibility as the master of the craft:

- 1) Preparing the craft for the voyage;
- 2) Departing from and arriving at the berth;
- 3) Operation at various speeds and courses, including acceleration and quick-stop;
- 4) Rescue manoeuvre;

¹ Order no. 232 of 22 March 2006 on education and training requirements, etc. for masters of certain engine-driven recreational craft with a hull length below 15 metres (the powerboat operator order).

² Order no. 442 of 7 June 2005 on the issue of call signs and identification numbers to ships as well as on SRC radio tests.

- 5) Continuous evaluation of the risks associated with the voyage.

Section 3. A certificate of proficiency in yachting shall entitle the holder to function as a mate on board recreational craft with a hull length of or above 15 metres, but below 24 metres, engaged in trade in the North Sea and the English Channel as well as in trade on the British Isles, Ireland, Norway and the Faroe Islands.

Subsection 2. In order to acquire a certificate of proficiency in yachting, the person concerned shall be required to:

- 1) have passed the test for a certificate of proficiency in yachting;
- 2) have legal capacity and not be under guardianship pursuant to section 5 of the legal guardianship act (*værgemålsloven*) or under guardianship pursuant to sections 7 and 12 of the same act; and
- 3) have passed a sight and hearing test for yachtsmen determined by the Danish Maritime Authority within the last 3 years prior to the issue of a certificate of competency.

Subsection 3. The test, cf. subsection 2(i), shall ascertain that the examinee is capable of functioning appropriately in terms of safety as a mate on board recreational craft covered by subsection 1 and ensuring the safety of own craft and the persons on board in consideration of the surroundings.

Subsection 4. The test shall cover the regulations for preventing collisions at sea, terrestrial navigation, safety at sea, fire prevention and fire fighting on board small craft as well as protection of the marine environment.

Subsection 5. The examinee shall demonstrate satisfactory knowledge about:

- 1) appropriate manning of the craft;
- 2) the acquisition of relevant information about the waters concerned;
- 3) knowledge of the craft and its preparation, including the use of the safety equipment;
- 4) the manoeuvring characteristics of small recreational craft;
- 5) various types of means of propulsion; and
- 6) safety at sea, including the use of the safety equipment, searching, alarming and treatment of frost-bites.

Subsection 6. Furthermore, the examinee shall demonstrate a satisfactory level of competences within the areas below, which – together with the knowledge acquired – enables the examinee to perform the responsibility as the mate of the craft:

- 1) Preparing the craft for the voyage;
- 2) Use and correction of voyage planning;
- 3) Steering and manoeuvring;
- 4) Position-indicating by means of various methods, including terrestrial navigation, reckoning as well as GPS;
- 5) Use of the regulations for preventing collisions at sea.

Section 4. A certificate of proficiency in yachting (motor operation) shall entitle the holder to operate the engine in recreational craft with a hull length of or above 15 metres with propulsion machinery of or above 100 kW, but below 750 kW, in which it is possible to adjust the engine and make propeller manoeuvres from the conning position.

Subsection 2. In order to acquire a certificate of proficiency in yachting (motor operation), the holder shall be required to have passed

- 1) the test for a certificate of proficiency in yachting; and
- 2) the test for a certificate of proficiency in yachting (motor operation).

Subsection 3. The test, cf. subsection 2(ii), shall ascertain that the examinee is capable of performing the operation of minor ship machinery in recreational craft in an appropriate manner in terms of safety.

Subsection 4. The test shall cover the main parts of the diesel engine, the functioning of the engine, electrical installations on board ships, the performance of frequent engine inspections, fire prevention and the operation of means for fire-extinguishing and bilge systems, protection of the marine environment, starting the engine, operating it and stopping it.

Section 5. A certificate as a yacht master, 3rd class, shall entitle the holder to operate recreational craft with a hull length of or above 15 metres, but below 24 metres, in the Baltic Sea and the North Sea, around the British Isles, Ireland, Norway, the Faroe Islands and along the coasts of Greenland as well as to function as a mate on board recreational craft of up to 24 metres on all seas.

Subsection 2. In order to acquire a certificate of competency as a yacht master, 3rd class, the person concerned shall:

- 1) have passed the test for a yacht master, 3rd class;
- 2) have legal capacity and not be under guardianship pursuant to section 5 of the legal guardianship act (*værgemålsloven*) or under guardianship pursuant to section 7 of the same act;
- 3) have passed a sight and hearing test for yachtsmen determined by the Danish Maritime Authority within the last 3 years prior to the issue of a certificate of competency; and
- 4) meet the conditions for acquiring a certificate of proficiency in yachting.

Subsection 3. The test, cf. subsection 2(i), shall ascertain that the examinee is capable of functioning in an appropriate manner in terms of safety as the master of large recreational craft in Northern European waters.

Subsection 4. The test shall cover the regulations for preventing collisions at sea, navigation, seamanship, meteorology, maritime law, safety at sea, risk assessments, fire prevention and fire fighting as well as protection of the marine environment.

Subsection 5. The examinee shall demonstrate satisfactory knowledge about:

- 1) Watchkeeping duty on board;
- 2) common navigation equipment and its limitations;
- 3) aids to navigation;
- 4) factors of importance to the craft's safety;
- 5) the master's obligations and responsibilities; and
- 6) emergency communication and rescue at sea.

Subsection 6. Furthermore, the examinee shall demonstrate a satisfactory level of competences within the areas mentioned below, which – together with the acquired knowledge – shall make the examinee capable of performing the responsibility as the skipper of the craft:

- 1) Development and control of voyage planning.
- 2) Determining and assessing the ship's position.
- 3) Collection and use of marine forecasts.
- 4) Use of the regulations for preventing collisions at sea and watchkeeping duty.
- 5) Attending to the safety of the craft and those on board.

Section 6. A certificate as a yacht master, 1st class, shall entitle the holder to operate recreational craft of up to 24 metres engaged in trade on all seas.

Subsection 2. In order to acquire a certificate of competency as a yacht master, 1st class, the person concerned shall:

- 1) have passed the test for a yacht master, 1st class;
- 2) hold a valid certificate of competency as a yacht master, 3rd class;
- 3) have completed 6 months' seagoing service under conditions where a certificate as a yacht master, 3rd class, is prescribed;

- 4) have legal capacity and not be under guardianship pursuant to section 5 of the legal guardianship act (*værgemålsloven*) or under guardianship pursuant to section 7 of the same act; and
- 5) have passed a sight and hearing test for yachtsmen determined by the Danish Maritime Authority within the last 3 years prior to the issue of a certificate of competency;

Subsection 3. The test, cf. subsection 2(i), shall ascertain that the examinee is capable of functioning in an appropriate manner in terms of safety as the master of large recreational craft engaged in trade on all seas.

Subsection 4. The test shall cover international navigation, seamanship and communication, meteorology and medical care.

Subsection 5. The examinee shall demonstrate satisfactory knowledge about:

- 1) Ocean sailing, including navigation planning, navigational observations, stability conditions as well as meteorology and voyage planning;
- 2) use of a ship's log and calls at foreign ports;
- 3) safety communication in international shipping;
- 4) first aid, diagnosing and medical assistance; and
- 5) the use and updating of nautical instruments and electronic aids.

Section 7. Persons who have, as a minimum, passed the test for a certificate of proficiency in yachting and acquired a certificate to this effect shall be considered to meet the requirement for acquiring a powerboat certificate, cf. section 2(2).

Subsection 2. Persons who have, as a minimum, passed the theoretical part of the test for a certificate of proficiency and the powerboat test shall be considered to meet the requirement for a certificate of proficiency in yachting, cf. section 3(2)(i).

Part 2

The holding of tests

Section 8. Tests shall be held by approved providers whom the Danish Maritime Authority has authorised to hold the tests.

Subsection 2. An external examiner shall be present at all tests who has been appointed by the approved provider.

Section 9. Passed tests shall be reported to the Danish Maritime Authority by means of its system for digital reporting of exam and course results no later than 14 days after the holding of the test.

Section 10. The approved provider shall ensure:

- 1) that the test is held and evaluated in accordance with the provisions of this order;
- 2) that there are detailed test requirements for each test with which the examinee shall be familiar before the holding of the test; and
- 3) that the tests are held in accordance with the approved criteria, cf. section 13(4).

Section 11. The providers who have been approved by the Danish Maritime Authority, cf. part 3 on the approval of providers for performing tests covered by this order, shall provide guidance about compliance with the requirements leading to the tests mentioned in sections 2-6.

Part 3
Approval of providers

Section 12. The Danish Maritime Authority shall approve providers of tests.

Subsection 2. In order to be approved as a provider to hold tests, the provider shall:

- 1) account for having a considerable interest in appointing external examiners and holding tests within a local area, an organisation or a subject area within yachting; and
- 2) account for having sufficient resources to perform the tasks covered by the approval, including the issue of certificates, attendance to a quality management system, appointment of external examiners, as well as arrangement and planning of tests.

Subsection 3. An organisation shall have a quality system for attending to

- 1) the issue of certificates,
- 2) the authorisation of external examiners; and
- 3) the reporting to the Danish Maritime Authority.

Subsection 4. The quality system shall contain

- 1) guidelines for the holding of tests and the issue of test certificates;
- 2) detailed test requirements for the individual certificates; and
- 3) guidelines for other activities impacting compliance with the provisions of this order and in accordance with sections 1.2, 3, 5 and 7 of annex 1 to the order on the approval and quality assurance, etc. of maritime training programmes.³

Subsection 5. Maritime training institutions approved in accordance with the order on the approval and quality assurance, etc. of maritime training programmes whose quality system meets the provisions of subsections 2 and 3 shall be considered approved providers.

Section 13. A provider who requests approval pursuant to section 12 shall forward an application to the Danish Maritime Authority.

Section 14. The Danish Maritime Authority shall take a decision on approval on the basis of

- 1) documentation forwarded, cf. section 12; and
- 2) inspections of the provider's quality system.

Section 15. In order to maintain the approval, the provider shall be subject to inspections by the Danish Maritime Authority with a view to proving that the conditions of the approval are still met.

Section 16. The Danish Maritime Authority may withdraw an approval of a provider if the conditions for the approval are no longer met.

Section 17. The provider shall authorise external examiners and shall by authority ensure that the one authorised is competent.

Subsection 2. The provider shall approve external examiners irrespective of their affiliation.

Subsection 3. The provider shall register and administer approved external examiners.

Section 18. External examiners for the holding of tests shall be chosen in accordance with the guidelines of the approved provider.

³ Order no. 1373 of 16 December 2009 on the approval and quality assurance, etc. of maritime training programmes.

Subsection 2. External examiners shall not have participated in the examinee's preparation for the test and general regulations on incapacity shall otherwise apply, cf. part 2 of the public administration act (*forvaltningsloven*).⁴

Section 19. External examiners shall issue documentation of passed tests and report tests to the approved provider in accordance with the provider's more detailed instructions.

Section 20. The provider shall ensure that all relevant information about tests, prices, etc. is available to the general public.

Part 4 *Test fees*

Section 21. External examiners may, prior to the test, request payment for holding the test in accordance with sections 2-6.

Part 5 *Issue of certificates*

Section 22. Approved providers shall issue certificates for passed tests pursuant to this order on the basis of the reports made by external examiners, as stipulated in annex 1.

Subsection 2. Applications for certificates of competency for certificates of proficiency in yachting, as yacht masters, 3rd class, and yacht masters, 1st class, shall be made by contacting the Danish Maritime Authority.

Subsection 3. Approved providers may request payment for the issue of certificates pursuant to subsection 1.

Subsection 4. In connection with applications to the Danish Maritime Authority to be issued with certificates of proficiency or certificates of having passed a test or to get a copy of a certificate, a fee shall be requested, cf. the Danish Maritime Authority's rates of fees.

Part 6 *Right of appeal*

Section 23. Appeals against tests held pursuant to this order shall be decided by the approved providers, cf. section 19.

Subsection 2. The appeal shall be submitted to the external examiner who has held the test. The external examiner shall forward the appeal to the relevant provider accompanied by a statement. The external examiner shall give the plaintiff the opportunity to comment on the statement within a period of at least one week. Any comments from the plaintiff shall also be forwarded to the provider.

Subsection 3. The deadline for filing complaints shall be two weeks from the date on which the examinee was informed about the test result.

Subsection 4. It shall not be possible to bring decisions made by the provider before any higher administrative authority.

⁴ Consolidated act no. 433 of 22 April 2014 on the public administration act.

Part 7

Entry into force and interim provisions

Section 24. This order shall enter into force on 1 January 2017.

Section 25. In 2017, it shall be possible to apply for approval as a provider, cf. section 12, in connection with the issue of the certificates described in section 1(i) and (ii).

Subsection 2. From 2018, it shall be possible to apply for approval as a provider, cf. section 12, in connection with the issue of the certificates described in section 1(i)-(vi).

Subsection 3. External examiners authorised by the Danish Maritime Authority, cf. order no. 184 of 26 March 1999 on tests for certificates of proficiency, etc., shall from 1 January 2018 apply for authorisation by an approved provider pursuant to this order in order to be able to hold tests.

Subsection 4. The Danish Maritime Authority may order external examiners authorised by the Danish Maritime Authority to follow guidelines for tests

Section 26. This order shall not apply to the Faroe Islands and to Greenland.

Danish Maritime Authority, 12 December 2016
Rasmus Høy Thomsen / Torsten Mathias Augustsen

Requirements for the design of certificates

Front page of certificate

<logo>	<photo>
Certificate for <name of test>, cf. section 1	
<name>	<CPR number>
<unique serial number>	<date of issue>

Back page of certificate for powerboat test:

Certificate of proficiency in yachting
(power boats)

In accordance with section <§> of the Danish
executive order no. xx of <date>

Holder of this certificate is entitled to navigate power boats,
i.e. pleasure craft of less than 15 metres with unlimited engine power,
in Danish and international waters.

Back page of certificate of proficiency in yachting:

Certificate of proficiency in yachting

In accordance with section <§> of the Danish
executive order no. xx of <date>

Holder of this certificate is entitled to navigate recreational craft,
including power boats, of less than 15 metres and with an
engine power without limitation in Danish and international waters.

Back page of certificate of proficiency in yachting (motor operation):

Certificate of proficiency in yachting
(motor operation)

In accordance with section <§> of the Danish
executive order no. xx of <date>

Holder of this certificate is entitled to navigate recreational craft,
including power boats, of less than 15 metres and with unlimited
engine power and maintain propulsion machinery
of less than 750 kW in Danish and international waters.