

(Translation. Only the Faroese version has legal validity)

Executive Order No. 119 of 22 August 2022 from the Faroese Maritime Authority on load lines and freeboard conditions

Under the provisions in section 2 subsection 2, section 7 subsection 1 and section 49 subsection 2 in Parliamentary Act No. 165 of 21 December 2001 on Safety at Sea as amended by Parliamentary Act No. 71 of 30 May 2011, Parliamentary Act No. 61 of 17 May 2013 and Parliamentary Act No. 122 of 15 December 2014 the following shall be laid down:

Scope etc.

Section 1. The executive order shall apply to vessels engaged in domestic and international voyages. These vessels shall comply with the International Convention on Load Lines, 1966, with later amendments, pursuant to Annex 1 unless otherwise expressly provided in this executive order, cf, however subsection 3.

Subsection 2. Vessels with a length of less than 24 m shall comply with sections 4-6 of this executive order instead of the Load Line Convention.

Subsection 3. Vessels of 24 metres in length and over which keel was laid before 1 January 2002 and which operate exclusively in domestic service, shall comply with the rules applicable hitherto.

Subsection 4. Vessels of less than 24 m in length which keel was laid before 1 January 2002 shall comply with the rules applicable hitherto. These vessels shall, in addition, comply with the provisions of section 6 subsection 7 or subsection 8 of this executive order.

Definitions

Section 2. For the purposes of this executive order, the following definitions apply:

- 1) Length: As defined in the Load Line Convention, Annex I, Article 3.
- 2) International voyage: a voyage from a country covered by the SOLAS Convention to a port outside that country or vice versa. Journeys between Denmark and the Faroe Islands and between Denmark and Greenland, as well as journeys between the Faroe Islands and Greenland or between two foreign ports are considered international journeys.
- 3) Domestic voyage: a voyage that is not an international journey.
- 4) Recognised organisation: an organisation authorised by the Faroese Maritime Authority carrying out surveys of vessels.

Exemption

Section 3. In addition to the possibilities for exemption mentioned in Article 6 of the Load Line Convention annex 1, the Faroese Maritime Authority may permit exemption from the provisions if the following apply to the individual vessel:

- 1) that the vessel is exclusively engaged in domestic voyage, and
- 2) that sailing in the allocated area of operation is conducted in such protected conditions that the full application of the rules would be unreasonable or unnecessary.

Marking

Section 4. The load line mark may be marked with letters indicating the issuer of the International Load Line Certificate in the following manner:

- 1) where the Load Line Certificate is issued by the Faroese Maritime Authority, F-L (Faroese Load Line) is marked.
- 2) where the Load Line Certificate is issued by a recognised organisation, endorsed in the company's chosen letters.
- 3) on vessels changing flag or recognised organisation, it may be accepted that the existing letters are retained.

Subsection 2. The bow and stern shall be marked with draught marks in decimetres on both sides. The marks are placed as close as possible to the perpendiculars.

Surveys and certificates

Section 5. The freeboard conditions appear according to Article 14 of the Load Line Convention in annex 1.

Subsection 2. The International Load Line Certificate shall be issued to vessels which have been surveyed and marked in accordance with the Load Line Convention and which comply with the provisions of this executive order.

Subsection 3. The validity and period of validity of the certificates are determined by Article 19 of the Load Line Convention in annex 1.

Freeboard conditions for vessels of less than 24 m in length

Section 6. Vessels with a length of less than 24 m must maintain a level of safety that meets the criteria of the Load Line Convention.

Subsection 2. Freeboard shall be assigned on the basis of criteria laid down in the Load Line Convention, taking into account the vessel's hull strength, stability, buoyancy and area of operation.

Subsection 3. The freeboard shall be determined from a table freeboard of 200 mm and corrected by the relevant parameters of the Load Line Convention. Where parameter values cannot be derived directly from the Load Line Convention, values used for vessels of 24 m in length and over shall be used.

Subsection 4. The freeboard of cargo vessels shall not normally be less than 150 mm. However, in special circumstances and having regard to the season and the duration of the voyage, a smaller freeboard may be permitted, but it shall never be less than 50 mm.

Subsection 5. The deck line and the freeboard mark shall be marked as specified in the Load Line Convention for a load line mark, but without the letters indicating the issuer of the Freeboard Certificate. For small vessels, the load line mark may be of a smaller diameter, but not less than 200 mm in outside diameter.

Subsection 6. The bow and stern shall bear draught marks in decimetres on both sides. The marks shall be placed as close as possible to the perpendiculars.

Subsection 7. The Faroese Maritime Authority or a recognised organisation shall indicate the approved freeboard on the National Cargo Ship Safety Certificate for cargo ships when compliance with these provisions has been ensured by a satisfactory survey. Moreover, the freeboard conditions appear in the context of the renewal of the National Cargo Ship Safety Certificate for cargo ships.

Subsection 8. In the case of passenger ships, the Faroese Maritime Authority or a recognised organisation shall indicate the approved freeboard on a Freeboard Certificate when compliance with these provisions has been ensured by a satisfactory survey. The freeboard conditions also appear in the context of the renewal of the ship's Passenger Ship Safety Certificate for passenger ships.

Penalties etc.

Section 7. Violation of sections 1 and 6 shall be punished by fine or imprisonment up to one year.

Subsection 2. Companies and other legal persons shall incur criminal liability under the regulations in chapter 5 of the Faroese Penal Code.

Section 8. This executive order comes into force the day after it has been promulgated.

Subsection 2. The construction requirements of the previous regulations shall continue to apply to existing vessels unless otherwise provided in this executive order.

The Faroese Maritime Authority, 22 August 2022

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