

(Translation: Only the Faroese document has legal validity)

Executive order No. 133 of 23 July 2025 on insurance certificates as proof of coverage for maritime claims

Under the provisions in section 153 subsection 5, and section 514 a in Decree No. 187 of 8 February 2017 on the entry into force for the Faroe Islands of the merchant shipping act as amended by Parliamentary Act no. 35 of 16 May 2024 and Decree No. 1000 of 30 June 2025, the following shall be laid down:

Section 1. This executive order shall apply to Faroese ships with a gross tonnage of or above 300 as well as to foreign ships with a gross tonnage of or above 300 calling at or departing from a Faroese port or any other place of loading or unloading in Faroe Islands or in Faroese territorial waters within 200 nautical miles from the baselines, or begin to carry out regular operations in Faroese territorial waters.

Section 2. For the purposes of this executive order, insurance shall mean the following:

- 1) P & I insurance offered by a member of the International Group of P & I Clubs,
- 2) liability insurance with similar coverage for maritime claims,
- 3) documented self insurance with similar security for coverage for maritime claims,
- 4) a bank guarantee with similar coverage, or
- 5) any other type of financial security with similar coverage.

Subsection 2. The insurance pursuant to subsection 1 may be with or without a franchise.

Subsection 3. The insurance shall, pursuant to section 153 subsection 4 in Decree on the entry into force for the Faroe Islands of the merchant shipping act, provide a possibility for being compensated within the liability limits stipulated in section 175 in Decree on the entry into force for the Faroe Islands of the merchant shipping act, even if the country in which the ship is registered has not acceded to the Protocol of 1996 to the Convention on Limitation of Liability for Maritime Claims.

Section 3. Ships subject to this executive order shall carry a certificate confirming that the ship is covered by the insurance required in section 153 in Decree on the entry into force for the Faroe Islands of the merchant shipping act.

Subsection 2. The certificate shall contain the following information:

- 1) The name of the ship, port sign and port of registry,
- 2) the IMO ship identification number,
- 3) the shipowner's name and principal place of business, or the registered owner, if this is not the same as the shipowner,
- 4) the name and principal place of business of the insurance company and, if relevant, the place where the insurance has been taken out,

- 5) the type of insurance that has been taken out, and
- 6) the period of validity of the insurance.

Subsection 3. The certificate shall have been issued in English, French or Spanish. If the certificate has been issued in another language, the text shall contain a translation into English, French or Spanish.

Section 4. A certificate, Certificate of Entry complying with the requirements of section 3 and stipulating that the insurance has been issued by a member of the International Group of P & I Clubs shall be recognized as a certificate pursuant to section 153 in Decree on the entry into force for the Faroe Islands of the merchant shipping act.

Section 5. The shipowner of a ship flying the Faroese flag, including ships bareboat-registered in Faroe Islands, shall inform the Faroese Maritime Authority about the insurance that has been taken out if the ship cannot present the certificate pursuant to section 4. If the ship can present the certificate pursuant to section 4, there is no obligation to report.

Subsection 2. The Faroese Maritime Authority shall be informed about the insurance that has been taken out pursuant to subsection 1, once every calendar year.

Subsection 3. As regards ships that cannot present the certificate pursuant to section 4, the Faroese Maritime Authority may in special cases demand documentation that the issuer of the insurance, cf. section 2, has the right to operate such a business in the country in which the insurance provider is domiciled and that it is documented that the insurance provider is solvent and can meet his obligations to cover possible maritime claims.

Subsection 4. If changes are made to the insurance of importance to the validity of the certificate, the shipowner shall, immediately after having become aware hereof, be obliged to inform the Faroese Maritime Authority hereof.

Section 6. The police, customs authorities or port authorities noting contraventions of this executive order during the performance of their civil service obligations, shall immediately inform the Faroese Maritime Authority hereof.

Subsection 2. The Faroese Maritime Authority may, at the ship's arrival in a Faroese port, check whether it is provided with required certificates and may, in case of doubt whether the insurance of a foreign ship is sufficient, contact the flag State.

Section 7. Violation of section 3 and section 5 shall be liable to punishment by fine.

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 shall enter into force on 29 July 2025. At the same time executive order for the Faroe Islands No. 197 of 27 February 2017 on insurance certificates as proof of coverage for maritime claims shall be repealed.

Subsection 2. Certificates issued by the Danish Maritime Authority shall remain in force according to the expiry date stated on the certificate.

Ministry of Foreign Affairs, Industry and Trade, 23 July 2025

Sirið Stenberg

Minister

/ Herálvur Joensen