

(Translation: Only the Faroese document has legal validity)

Executive order No. 134 of 23 July 2025 on the reporting obligation of recipients of HNS substances carried in bulk by ships

Under the provisions in section 223 subsection 6, 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 Decree No. 1000 of 30 June 2025, the following shall be laid down:

Section 1. Anyone receiving HNS substances carried in bulk by ships in Faroese ports, oil terminals or other places of call shall, prior to 15 March, provide the Faroese Maritime Authority with information about the name and address as well as the quantity received in the previous year, cf. however subsection 2. This shall also apply when the HNS substances are received in duty-free areas. The information shall be given on forms available from the webpage of the Faroese Maritime Authority.

Subsection 2. The reporting obligation pursuant to subsection 1 shall apply when the following is received in a calendar year:

- 1) At least 150,000 tonnes of heavy oil covered by section 191 subsection 4 in Decree on the entry into force for the Faroe Islands of the merchant shipping act, cf. however subsection 3;
- 2) any quantity of liquefied natural gas of light hydrocarbons containing methane as its main element, LNG, or
- 3) at least 15,000 tonnes of other HNS substances.

Subsection 3. The reporting obligation pursuant to subsection 2 No. 1 on heavy oil shall be considered to have been met if reporting has already been made on the heavy oil received in accordance with the provisions on recipients' obligation to report and contribute to the International Oil Pollution Compensation Fund, (the 1992 Fund Convention) and the Protocol of 2003 (the supplementary fund).

Subsection 4. For the purposes of this executive order, HNS substances shall mean substances covered by section 212 in Decree on the entry into force for the Faroe Islands of the merchant shipping act. Detailed information about which substances are HNS substances is available from the webpage of the Faroese Maritime Authority.

Subsection 5. Recipients of HNS substances shall not be obliged to pay contributions to the HNS Fund, cf section 212 subsection 6, item 2 in Decree on the entry into force for the Faroe Islands of the merchant shipping act until the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea becomes effective for the Faroe Islands.

Section 2. The reporting obligation shall include HNS substances carried by sea to Faroe Islands or in Faroese domestic waters. The receipt of HNS substances carried by sea to a floating storage in Faroese territorial waters shall be considered receipt in a Faroese port or oil terminal. A ship shall be

considered a floating storage if the ship cannot sail or if the ship is permanently or located for a rather long period.

Subsection 2. Information pursuant to section 1 subsection 2 shall not be reported for goods in transit that are fully or partly transferred directly or in port or at a place of discharge from one ship to another ship as part of the maritime transport from the original place of loading to the final place of discharge. HNS substances stored with a view to subsequent resale shall not be considered goods in transit.

Subsection 3. The Faroese Maritime Authority may send requests for reporting to any recipients who are obliged to report.

Subsection 4. If a recipient has received a request for reporting pursuant to subsection 4 and if the recipient has received less than the quantity of HNS substances deriving from subsection 2 in the previous calendar year, the recipient shall be obliged to inform that they are not liable to pay.

Section 3. Violation of sections 1 and 2 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 4. This executive order shall enter into force on 29 July 2025.

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

Sirið Stenberg

Minister

/ Herálvur Joensen