

Greenland Home Rule Government Executive Order No. 21 of 30 May 2001

Executive Order on Satellite Monitoring of Fishing Vessels.

Unofficial translation. Not valid for court purposes.

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The following provisions are laid down pursuant to Section 9(1), Section 23(1), Section 26(1) and Section 33(2)-(4) of the Greenland Landsting Act No. 18 of 31 October 1996 on Fisheries, as amended by the Greenland Landsting Act No. 6 of 20 May 1998:

Scope

1.-(1) This Executive Order shall apply to fishing vessels registered in Greenland; operating in the fishing territory of Greenland, in the fishing territories of foreign states or in international waters; and belonging to any one of the following categories:

1) Fishing vessels of and over 50 GRT/GT 90 according to the vessel's tonnage certificate.

2) Fishing vessels with permission to perform processing on board irrespective of their size.

3) Any vessel loading fish or fish products in the fishing territory of Greenland from a fishing vessel irrespective of the size and nationality of such vessel.

(2) This Executive Order shall also apply to foreign fishing vessels operating in the fishing territory of Greenland irrespective of their size.

Definitions

2.-(1) Vessel Monitoring System (VMS) shall mean the Greenland Fishing Licence Control Authority's overall system for the transmission, reception and processing of a vessel's position reports.

(2) Vessel Monitoring Unit (VMU) shall mean the electronic equipment on board a fishing vessel which forms part of the VMS, i.e. power supply, transceiver and antenna.

(3) Vessel Monitoring Centre (VMC) shall mean the Greenland Fishery Licence Control Authority's monitoring centre.

(4) International waters shall mean waters outside the jurisdiction of a state.

Duty to install a Vessel Monitoring Unit

3.-(1) On vessels covered by Section 1 above a VMU shall be installed on board and be subject to the VMS no later than 15 August 2001.

(2) The VMU shall transmit position reports with the following contents: the identity, position, course and speed of the vessel and the time of such measurements.

(3) The Ministry of Industry shall lay down more detailed rules concerning requirements for equipment to be used for monitoring vessels and for the installation of such equipment.

(4) The owner of the vessel shall pay the costs connected with the acquisition, installation and use of the equipment mentioned in Section 3. The master and the owner of the vessel shall be responsible for ensuring that only equipment approved

by the Greenland Fishing Licence Control Authority is connected to the VMU.

Duty to report positions

4.-(1) Vessels subject to Section 1 above shall at least once every hour automatically transmit the following information to the VMC via the VMS.

- a) Name of the vessel.
- b) Port registration letters of the vessel.
- c) Radio call signal of the vessel.
- d) The current position of the vessel at the time of transmission of the information, stated in degrees and minutes of longitude and latitude, with an error margin of 500 metres and a confidence interval (error safety margin) of 99%.
- E) The speed and course of the vessel at the time of reporting.

(2) The Greenland Fishing Licence Control Authority may obtain the information mentioned in Subsection (1) more frequently than once every hour.

(3) In the event of any functional errors in the fishing vessel's VMU, the master of the vessel or his representative shall from the time of discovery of the error or notification of the master start to report positions in accordance with the provisions of the Executive Order on the Control of Marine Fisheries. The reports shall be transmitted by telex, fax or radio through a coastal radio station to the Greenland Fishing Licence Control Authority, to the Commander of Greenland or to the VMC of the coastal state concerned. The same procedure shall be used in the event of any functional errors in the Greenland Fishing Licence Control Authority's VMC which makes it unable to receive. The transmission of the above information shall continue until reports can be made again, cf. Section 4(1).

Duty to operate and maintain the VMU

5.-(1) The master of the vessel shall listen to the international distress and calling frequencies (VHF and medium wave band) so that the Greenland Fishing Licence Control Authority can notify the master of any errors in the VMU or the VMC discovered by the Greenland Fishing Licence Control Authority.

(2) The owner of the vessel or his representative shall cause the VMU to be repaired or replaced immediately on the fishing vessel's return to port.

(3) The master of the vessel shall not commence a fishing voyage with a defective VMU.

(4) The master of the vessel shall ensure that the VMU is fully operational and transmits position reports at all times and that there will be no technical interference with the VMU or that, for example, the antenna will not be covered or the power supply to the VMU will not be switched off.

Right of derogation

7. The Ministry of Industry may grant a derogation from the time-limit laid down in Section 3(1) above during a transitional period, however not longer than until 15 November 2001.

Inspection

8.-(1) The Greenland Fishing Licence Control Authority and the Commander of Greenland shall, whenever it is deemed necessary, be entitled to inspect the vessel's VMU on due proof of identity and without a prior court order.

(2) The master and the owner of the vessel shall be under an obligation to help to carry out the inspection mentioned in Subsection (1).

Penalty measures

9. Anyone who contravenes the provisions of Section 3(1), (2) and (4), Section 4(1) and (3), Section 5 and Section 8(2) of this Executive Order may be liable to a fine. Such cases shall be subject to the provisions of Part 13 of the Landsting Act on Fisheries.

Entry into force

10. This Executive Order shall enter into force on 15 June 2001.

Greenland Home Rule Government, 30 May 2001.

Simon Olsen

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