

# Act on amendment of the Danish Air Navigation Act and on repeal of Act on prolongation of Denmark's participation in the Scandinavian aeronautical co-operation

(Amendment of the safety charge and limits for liability for damages, precision of regulations concerning EU/EEC citizens' and EU/EEC companies' registration of aircraft in Denmark etc.)

WE FREDERIK THE TENTH, by the Grace of God King of Denmark, make it known:

The Folketing has passed and We by Our consent confirmed the following Act:

The following amendments shall be made to the Danish Air Navigation Act, cf. Consolidation Order no. 118 of 31 January 2024 as amended by Act no. 1114 of 29 December 1997:

## § 1

1. Everywhere in the Act "registration authority" shall be amended to "the Danish Civil Aviation and Railway Authority".

2. After § 5 the following shall be inserted after the heading before § 6:

"§ 5 a. Aircraft to be registered in Denmark are registered in the Danish Aircraft Register, cf. subsection (1) of § 6, in a register for drones, cf. Commission Implementing Regulation (EU) no. 2019/947 of 24 May 2019 on rules and procedures for the operation of unmanned aircraft, or in a register of aircraft of special nature in accordance with regulations issued in pursuance of subsection (1) of § 151."

3. The *heading* before § 6 shall be worded as follows:

*"Danish Aircraft Register"*.

4. *Subsection (1) of § 6* shall be worded as follows:

"The Danish Civil Aviation and Railway Authority keeps an register of aircraft (Danish Aircraft Register)."

5. In *subsections (2) and (3) of § 6* "register of aircraft" shall be amended to: "Aircraft Register".

6. In *subsection (1), number 2, of § 7*, "are covered by the European Community's regulations" shall be amended to: "have a connection to Denmark as a consequence of the EU or EEC citizens/companies having used their rights according to the European Union's regulations on the freedom of movement for workers, the right of establishment, and freedom to provide services".

7. In *subsection (2) of § 2, subsection (2) of § 17, and subsection (2) of § 19* "registration authority" shall be amended to: "Danish Civil Aviation and Railway Authority".

8. In *the first sentence of subsection (1) and in subsection (2) of § 14* "register of aircraft" shall be amended to: "Aircraft Register".

9. In *subsections (1) and (2) of § 16* "Danish register aircraft" and "register of Danish aircraft" shall be amended to: "Danish Aircraft Register".

10. In *subsection (1) of § 17* the following shall be inserted after “registered”: “, cf. § 5 a,”.
11. In *subsection (1) of § 20* the following shall be inserted after “Danish aircraft”: “registered in the Danish Aircraft Register, and”.
12. In *the first sentence of subsection (1) of § 21* “register of aircraft” shall be amended to: “Aircraft Register”.
13. In *subsection (2) of § 21* the following shall be inserted before (c): “(b) and”.
14. In § 21 the following shall be inserted as *subsection (4)*:

“(4) The Minister for Transport may stipulate detailed regulations on identification and painting of aircraft covered by subsections (1) and (3), including on the design and placing of nationality and registration marks.”
15. In § 22 the following shall be inserted as *subsection 3*:

“(3) The Minister for Transport may stipulate detailed regulations on the airworthiness and flying characteristics of aircraft, including on construction, building, and maintenance of and equipment in aircraft.”
16. In *number 1 of subsection 2 of § 57* »European Union’s” shall be amended to: »European Union’s” (no change in relation to the latest edition of the Consolidated Air Navigation Act).
17. In *subsections (1) and (2) of § 111* “128,821” shall be amended to: “151,880”.
18. In *subsection (3) of § 111* “5,346” shall be amended to: “6,303”.
19. In *the first sentence of subsection (4) of § 111* “1,288” shall be amended to: “1,519”.
20. In *the first sentence of subsection (5) of § 111* “22” shall be amended to: “26”.
21. In § 111 the following shall be inserted as *subsection (9)*:

“(9) With a view to implementing the Montreal Convention of 28 May 1999 for Unification of Certain Rules for International Carriage by Air, the Minister for Transport may amend the amounts mentioned in subsections (1)-(5).”
22. In *subsection (1) of § 146 a* and *subsection (5) of § 148* “Community” shall be amended to: “EU”.
23. *Subsection (1) of § 148* shall be worded as follows:

“The airlines shall pay a charge to the Danish Civil Aviation and Railway Authority of DKr. 8.00 per passenger transported by the airline. For the year 2026 the rate is DKr. 10.00. For the year 2017 the rate is DKr. 12.00. For the year 2028 and subsequent years the rate is DKr. 14.00. The charge shall be paid for passengers travelling by aircraft approved for more than ten passenger seats or with a maximum take-off mass of more than 5,700 kg departing from a Danish aerodrome the use of which is open to the public, cf. however subsection (3).”
24. In *subsection (2) of § 148* the following shall be inserted after “safety of air passengers”: “, and tasks concerning complaints against Danish airlines concerning passenger rights in the aviation area”.
25. *Subsection (4) of § 148* shall be worded as follows:

“(4) The charges mentioned in subsection (1) shall be regulated once a year as per 1 January by the rate for the general price and wage indices determined by the Ministry of Finance. The amounts are regulated as of 1 January 2026. The resulting amounts shall be rounded off to the nearest 25 øre, but the non-rounded off amounts shall, however, be used as basis for the regulation the following year. The Minister for Transport shall announce the current charge rate.”

26. In the first sentence of subsection (7) of § 149 “areas covered by the Act” shall be amended to: “in the aviation area”.

27. In subsection (11) of § 149 “areas covered by the Act” shall be amended to: “in the aviation area”.

28. In subsections (1) and (2) of § 149 a “areas covered by the Act” shall be amended to: “in the aviation area”.

29. The first sentence of subsection (1) of § 158 shall be repealed and the following shall be inserted instead:

“The Act shall not apply to Greenland, but may by Royal Decree be put into force, in full or in part, with the amendments which the Greenlandic conditions dictate. The provisions of the Act may be put into force at different times.”

## § 2

In Act no. 2399 of 14 December 2021 on amendment of the Danish Air Navigation Act (Precision of the fares for restrictions in the access to aviation and of the granting of permission to operate scheduled flights, authority to require security clearances etc.) the following amendments shall be made:

1. Number 9 of § 1 shall be repealed.
2. In subsection (1) of § 4 “subsections (2)-(4)” shall be amended to: “subsections (2) and (3)”.
3. Subsection (4) of § 4 shall be repealed.  
Subsection (5) shall then be subsection (4)

## § 3

Act no. 381 of 10 June 1987 on prolongation of Denmark’s participation in the Scandinavian aeronautical co-operation shall be repealed.

## § 4

- (1) The Act comes into force on 28 December 2024, cf. however subsection (2).
- (2) Numbers 1-16 and 21-29 of § 1 and §§ 2 and 3 come into force on 1 January 2025
- (3) The Act shall not apply to applications for EU/EEC citizens’ or EU/EEC companies’ etc.’s (legal persons’) registration of aircraft in the Danish Aircraft Register submitted before 1 January 2025. For such applications the regulations in force until then shall apply.
- (4) The Danish Air Navigation Act, cf. Consolidation Order no. 76 of 24 January 2024, and regulations stipulated in pursuance thereof remains in force for Greenland until the Act is repealed or replaced for Greenland of regulations stipulated in pursuance of the first sentence of subsection (1) of § 158 as worded by this Act’s number 29 of § 1.

## § 5

- (1) The Act shall not apply to the Faroe Islands and Greenland.
- (2) The Act may by Royal Decree partly or in full be put into force for the Faroe Islands and Greenland with the amendments dictated by Faroese and Greenland conditions.

*Given at Christiansborg Castle on 10 December 2024*

Under Our Royal Hand and Seal

FREDERIK R.

/ Thomas Danielsen