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Act on the Icelandic Coast Guard No. 52, June 14th 2006

Entered into force 1st July 2006

Chapter I

Direction, area of operations, and tasks of the Icelandic Coast Guard

Section 1

Purpose

The Icelandic Coast Guard shall provide security and rescue services at sea, enforce law at sea, and perform any other tasks provided for in this Act or any administrative provisions issued in accordance with it, or as otherwise ordered as provided for by law.

Section 2

Direction

The Minister of Justice shall exercise supreme direction of the Icelandic Coast Guard.

The Minister shall appoint a Director General for a term of five years at a time. The Director General shall be in charge of the Icelandic Coast Guard's daily operations and provide counsel and assistance to the Minister on any matter concerning the agency.

The organisational chart of the Icelandic Coast Guard shall be approved by the Minister.

Section 3

Area of Operations

The area of operations of the Icelandic Coast Guard shall be the ocean around Iceland, i.e. internal waters, territorial waters, the economic zone and the waters over the continental shelf, and the high seas in accordance with the rules of international law. The Icelandic Coast Guard shall also undertake particular tasks ashore in co-operation with police and other authorities.

Section 4

Tasks

The tasks of the Icelandic Coast Guard shall be the following:

1. Providing security and safety at sea in accordance with Iceland's international obligations, agreements with other States and the provisions of law.
2. Law enforcement at sea, including fisheries patrol, and assistance to law enforcement ashore in co-operation with the National and regional commissioners of police.

3. Search and rescue services to mariners and ships and other means of transport at sea.
4. Search and rescue services to aircraft.
5. Search and rescue services on land.
6. Urgent ambulance services in co-operation with other rescue organisations
7. Assistance to civil protection authorities.
8. Assistance in case of failure of ordinary communications, such as by reason of ice floe, layers of snow, violent weather or natural disasters.
9. Ocean patrol in accordance with the Act on the Maritime Security Act and other acts of law on similar matters.
10. Notification of, and disposal of, flotsam, mines, bombs or other sources of hazards to navigation, in addition to bomb disposal on land.
11. Hydrographic survey, charting, issue of notices to mariners, preparation of tide tables, sailing directions and other publications relating to navigation.
12. Reception of notifications from ships as provided for in the Act on Foreigners, and control of jurisdictional boundaries at sea.

The Minister shall, by Regulation, issue rules in further detail on the execution of the individual tasks.

Section 5

Contractual services

The Icelandic Coast Guard may conclude service agreements on matters including the following:

1. Fisheries patrols.
2. Remote surveillance of ships at sea.
3. General air ambulance services and assistance to medical services.
4. Prevention of pollution and pollution control at sea.
5. Bomb disposal and clearance of artillery training ranges.
6. Control of shipping at sea and assistance in lighthouse operation.
7. Management of the Maritime Traffic Service.
8. Reception and dissemination of notifications from ships.

9. Customs patrols.

10. Research and scientific work at sea as conditions permit.

In special circumstances the Icelandic Coast Guard may, in consultation with the Minister, conclude agreements on carrying out tasks not provided for by law.

Chapter II

Police authority and use of force

Section 6

Police powers

The following persons engaged with the Icelandic Coast Guard exercise police authority when performing or assisting in law enforcement duties in accordance with this Act within the limits of the Icelandic economic zone:

1. The Director General and his legal assistants.
2. The officers and crew of the ships and aircraft of the Icelandic Coast Guard.
3. Bomb disposal experts.
4. Officers engaged at the Operation Centre and in the Maritime Traffic Service.

When exercising police authority, persons engaged with the Icelandic Coast Guard shall proceed in accordance with the Police Act and the Code of Criminal Procedure, as applicable.

Section 7

A duty to obey orders issued by the Icelandic Coast Guard

Officers and crew members of ships at sea and of offshore installations have the duty of obeying orders issued by the Icelandic Coast Guard.

Section 8

Carrying of arms

The personnel of the Icelandic Coast Guard who exercise police authority and are engaged in law enforcement, including protection of marine traffic and bomb disposal, are authorised to use firearms in the performance of their duties, in accordance with rules to be issued by the Minister.

Section 9

Investigation on board ships and taking over command of ships at sea

Personnel exercising police authority on board the ships and aircraft of the Icelandic Coast Guard are authorised to board ships at sea and offshore installations for purposes of investigation, in case of suspicion of violation of law or in order to exercise control as provided for by law. They may order a ship to proceed to harbour if necessary in order to complete an investigation or curtail criminal activity. They are also empowered to take over command of a ship.

In case of a suspected violation of the Act on International Ship and Port Security, personnel exercising police authority on board the ships and aircraft of the Icelandic Coast Guard are empowered to order the captain of a craft not to proceed to harbour, and to conduct searches for security purposes of the quarters and on the persons of passengers.

Section 10

A duty to provide assistance to the Icelandic Coast Guard

Ships' captains and any other persons capable of rendering assistance have, upon request, the duty of assisting the Icelandic Coast Guard in law enforcement and saving of human life, if assistance can be rendered without endangering their own lives, health, welfare or significant interests.

Section 11

Prohibition of hindering the Icelandic Coast Guard in performing its duties

No one may, in any manner, hinder the personnel of the Icelandic Coast Guard in performing their duties.

Section 12

International law

When involving itself with foreign vessels or offshore installations, the Icelandic Coast Guard shall respect the provisions of international agreements to which Iceland is a party.

Chapter III

Further provisions on the duties of the Icelandic Coast Guard

Section 13

Rescue and assistance to mariners

The Icelandic Coast Guard shall be in charge of, and responsible for, search and rescue operations at sea.

The Icelandic Coast Guard and its personnel shall be entitled to salvage charges in accordance with the Maritime Act and the Air Traffic Act.

The Minister shall, by Regulation, issue provisions on control of rescue operations and co-operation with other rescue organisations.

Section 14

Rescue and assistance to aircraft

The Icelandic Coast Guard shall render assistance in cases of searches for aircraft involved in air traffic incidents or air accidents, or are missing at sea. The Civil Aviation Authority shall be in charge of search operations until the location of an accident has been ascertained, but the Icelandic Coast Guard assumes responsibility for operations at the scene if an accident has occurred at sea.

Section 15

Bomb disposal

The Icelandic Coast Guard shall be in charge of notifying of, removing or rendering harmless any flotsam, mines, bombs or other devices that may endanger public safety, both at sea and ashore.

The Minister shall issue a Regulation on the work of bomb disposal experts. This shall contain provisions on the competence, training and experience of bomb disposal experts. The Icelandic Coast Guard shall issue occupational licences to the personnel fulfilling the requirements of the Regulation and authorise them to conduct courses for becoming licensed in this field.

By contract, the Icelandic Coast Guard may undertake tasks involving bomb disposal and removal of dangerous materials, which are not to be counted among the tasks committed to it by law.

Section 16

Importation and storage of explosives and firearms

The Icelandic Coast Guard is permitted to import, store and use explosives and firearms in the context of its exercise of police authority. Procedures approved by the Minister, relating to registration, storage and use of explosives and firearms in the Coast Guard's ownership shall be followed in this respect.

Section 17

Hydrographic survey

The State is the owner of any intellectual property rights acquired by the Icelandic Coast Guard and The Icelandic Hydrographic Service. The Act on Intellectual Property shall apply to such rights in any other respects.

The Icelandic Coast Guard shall disseminate hydrographic information and may grant access to hydrographic data.

The Icelandic Coast Guard is allowed to derive income from lease of data in its possession and of any products subject to intellectual property rights. The charges shall be laid down in a Rate approved by the Minister and published in Division B of the Government Gazette. The charges shall be determined with a view to the costs of rendering the services in question and performing the individual tasks, cf. the first and second paragraphs, so as to meet all expenses involved.

The Minister shall issue a Regulation on Hydrographic surveys, preparation of hydrographic charts and harbour charts, and any other hydrographic material published by the Icelandic Coast Guard. This shall contain provisions on the competence, training and practical experience of hydrographers and cartographers.

The Icelandic Coast Guard shall issue occupational licences to employees who fulfil the requirements of the Regulation and authorise them to conduct courses for becoming licensed in this field.

Agreements may be made with domestic and foreign enterprises and institutions for carrying out particular hydrographic tasks, and a limited company may be formed for carrying out such operation.

Section 18

Remote surveillance of fishing vessels

The Icelandic Coast Guard shall be in charge of remote surveillance of fishing vessels and shall receive and disseminate information on Icelandic and foreign fishing vessels from the remote surveillance system in accordance with international agreements to which Iceland is a party.

Section 19

Reception of notifications and dissemination of information

Notifications from ships at sea which the Icelandic Coast Guard is to receive shall be received on a form prepared for the purpose. The filled forms shall contain all the information which captains of ships at sea or ship operators are obliged to provide.

The Icelandic Coast Guard may provide any other public agencies with information on ships at sea for the purposes of their control activities provided for by law. Foreign States may also be provided with information on ships at sea in accordance with any international agreements concluded by Iceland.

Any information on ships at sea that are received by the Operation Centre of the Icelandic Coast Guard may be used for rescue operations, fisheries control, law enforcement and other control exercised by the State.

Chapter IV

Organisation, management and personnel

Section 20

Engagement of personnel

The Director shall engage the personnel of the Icelandic Coast Guard and define the sphere of their duties in conformity with the needs of the agency and their expertise and rights.

Section 21

Uniforms, and documents of persons exercising police powers

When performing their duties, personnel of the Icelandic Coast Guard shall wear uniforms as provided for in a Regulation to be issued by the Minister. Personnel exercising police authority shall carry special identification documents when performing their duties. The Minister shall, by Regulation, issue provisions on the appearance, contents and use of such identification documents.

Section 22

Strike prohibition

Personnel of the Icelandic Coast Guard exercising police authorities may neither strike nor take part in calling a strike.

Section 23

Compensation for physical injury and damage to property

The State Treasury shall compensate the employees of the Icelandic Coast Guard who may be imperilled when performing their duties for physical injury and loss of personal property they may suffer under such circumstances. Compensation shall also be paid to dependents in case of loss of support.

Section 24

Consultant physician

The personnel of the Icelandic Coast Guard shall undergo medical examinations conducted by the agency's consultant physician as ordered by as superior, if this is deemed needed.

The Minister may issue rules on minimum requirements relating to the health and physical condition of employees, which shall be included among their employment requirements.

Chapter V

Operation of ships and aircraft

Section 25

Ships, aircraft and other means of transport of the Icelandic Coast Guard

The Icelandic Coast Guard shall operate ships and aircraft, as well as any other means of transport necessary for patrolling Icelandic territorial waters and for performing its other tasks. Bids may be invited, or a limited company established, for operation of ships or aircraft, or for technical services to be performed by the Icelandic Coast Guard, subject to conditions to be determined by the Minister after having received the agency's proposals. Equipment may be in the ownership of the Icelandic Coast Guard Fund.

The ships and aircraft of the Icelandic Coast Guard shall be marked with Iceland's coat of arms in a clearly visible manner. Ships shall be identified by name, and aircraft shall be identified by name and registration symbols.

The Minister shall decide, by Regulation, colours and other distinctive features of the Icelandic Coast Guard's ships and aircraft.

The Icelandic Coast Guard shall possess all licences required for the operation conducted at any particular time, and shall be subject to control by the Civil Aviation Authority as applicable.

Section 26

Secrecy as regards the movements of the Icelandic Coast Guard's ships and aircraft

Public disclosure of the movements of the Icelandic Coast Guard's ships and aircraft is prohibited unless permitted by the agency. Any other disclosure of such information to mariners in the purpose of enabling them to evade investigation and charges on account of violation of law at sea is also prohibited.

Section 27

The Icelandic Coast Guard Fund

A fund, bearing the name Icelandic Coast Guard Fund, shall receive any fines and the value of confiscated property on account of violation of fisheries legislation, in addition to any salvage charges to which the Icelandic Coast Guard may be entitled.

The Icelandic Coast Guard Fund shall be used to finance purchase or lease of ships, aircraft or other equipment for performing the tasks of the Icelandic Coast Guard.

The Minister may decide that a part of the Fund's annual revenues and interest income can be appropriated towards the operating costs of the Icelandic Coast Guard.

Chapter VI

Miscellaneous provisions

Section 28

Further provisions on the implementation of this Act

The Minister shall issue provisions in further detail on the implementation of this Act.

Section 29

Penalties

Imprisonment for up to one year, or fines, shall be ordered in case of violation of Sections 7, 9, 10, 11 and 26 of this Act, unless heavier penalties are provided for by other acts of law.

Section 30

Entry into force

This Act shall enter into force 1 July 2006.