

**Royal Ordinance of 27 February 1976 governing the admission of
foreign warships and military aircraft to Danish territory in time of peace**

**PART I
GENERAL PROVISIONS**

1. (1) This Ordinance shall apply to the admission of foreign warships and military aircraft to Danish territory when Denmark as well as the State by which the vessel or aircraft is owned are in a state of peace.

(2) Other vessels and aircraft which are owned or used by a foreign State and which are not employed exclusively for commercial purposes shall be equated with foreign warships and military aircraft in the application of the provisions of this Ordinance.

(3) For the purposes of this Ordinance the term "passage" means innocent passage within the meaning of international law.

(4) Where advance permission is required pursuant to this Ordinance, the application for such permission shall be submitted not less than eight days in advance. Where advance notification of passage is required, such notification shall be given not less than three days in advance of the proposed passage.

(5) The Minister of Defence may make exceptions to the provisions of this Ordinance.

2. (1) For the purpose of this Ordinance the term "Danish territory" means Danish land territory and Danish territorial waters and the airspace over these territories.

(2) Danish territorial waters embrace the territorial sea and internal waters as defined in the relevant provisions in force at any given time.

**PART II
WARSHIPS**

3. (1) Foreign warships shall enjoy the right of passage through the territorial sea subject to advance notification being given through diplomatic channels; cf., however, subsection (4) below. For the vessels referred to in section 1, subsection (2), notification of passage shall not, however, be required.

(2) Where navigation within the territorial sea takes place in connection with passage of the Great Belt, Samsøe Belt or the Sound, notification shall not be required; cf., however, subsection (4) below.

(3) Foreign warships shall not be allowed during passage to stop or anchor in the territorial sea except where advance permission to do so has been obtained through diplomatic channels or where stopping or anchoring are incidental to ordinary navigation or are rendered necessary by force majeure or by distress.

(4) For simultaneous passage of the territorial sea of more than three warships of the same nationality advance permission, obtained through diplomatic channels, is required. Passage of the Great Belt, Samsøe Belt or the Sound shall be allowed, however, subject to advance notification through diplomatic channels. Permission or notification, as the case may be, shall not be required for the vessels referred to in section 1, subsection (2).

4. (1) Warships may pass through or stay in internal waters where advance permission for such passage or stay has been obtained through diplomatic channels.

(2) Passage of Hollaenderdybet/Drodgen and passage of the Little Belt and, in connection therewith, the necessary navigation by the shortest route through internal waters between Funen, Endelave and Samsøe shall be allowed, however, subject to advance notification through diplomatic channels.

5. The permissions and notifications referred to in sections 3 and 4 shall not be required for vessels in distress. In the event of distress the vessel shall give international distress signal and notify Danish naval authority - possibly through a Danish coastal radio station.

6. (1) Warships may not without special permission conduct scientific or military activity within Danish territorial waters.

(2) Submarines are required to navigate on the surface while within Danish territorial waters.

(3) Warships shall show their naval or national flag while within Danish territorial waters. In port flags may, however, be used under traditional regulations governing the display of flags.

PART 3

MILITARY AIRCRAFT

7. (1) For flights over or landing in Danish territory of military aircraft advance permission, obtained through diplomatic channels, is required. This provision shall not apply to aircraft in distress and aircraft which, with the approval of Danish authorities, are conducting flights for humanitarian purposes.

(2) Permission to overfly or land in Danish territory will be granted only if an ordinary International Civil Aviation Organization (ICAO) flight schedule is submitted prior to the flight to the competent Danish air traffic service organ and if the flight is otherwise carried out in accordance with the guidelines set out by ICAO and the provisions relative to these guidelines laid down by Danish aeronautical authorities.

8. (1) Military aircraft may not without special permission conduct scientific or military activity within Danish territory.

(2) Military aircraft may carry permanent installations of weapons without ammunition and cameras without film or plates. Electronic equipment other than such as is required for navigation of the aircraft may not be used by military aircraft over Danish territory.