

(Translation. Only the Faroese version has legal validity)

Executive order No. 88 of 18 June 2013 on compensation for personal possessions in connection with loss of ship etc.

Under the provisions in section 59 in Act No. 4 from 15th January 1988 on seafarers' conditions of employment, etc., as amended by Act No. 71 from 30th May 2011 the following shall be laid down:

Section 1. This executive order shall apply to employees on board ships, cf. section 1, subsection 1 and section 47 in Act on seafarers' conditions of employment, etc., irrespective of the type and trade area of the ships, except for fishing vessels and pleasure vessels.

Subsection 2. In case of doubt whether the person concerned is covered by the executive order, the issue shall be decided by the Faroese Maritime Authority following previous consultation with the shipowner and seafarer organisations that the issue concerns.

Section 2. The shipowner or the employer pays compensation to the seafarers for loss or damage to their personal possessions. In cases where the shipowner is another than the employer, the obligation to pay compensation remains with the shipowner. Damage to personal possessions shall be due to loss of ship, piracy, fire or other damage to the ship.

Subsection 2. If the employee is deceased when the compensation is to be paid, the amount falls to the estate or to the heirs.

Section 3. If no other agreement about a higher amount is made, the compensation cannot exceed DKK 44,700.

Subsection 2. The amount mentioned in subsection 1 will be adjusted according to the fluctuations of prices. The adjusted amount of compensation, which is valid every year from 1st January, will be published in the Faroese Maritime Authority's home pages.

Subsection 3. If the employee is not on board the ship, the amount mentioned in subsection 1, cf. subsection 2, will be reduced by 50%.

Section 4. If in connection with ship loss or condemnation, the shipowner has provided an employee with necessary clothes, according to section 19, subsection 2 in Act on seafarers' conditions of employment, etc., the related expenses will be deducted from the compensation to which the employee is entitled according to section 3, cf. section 59 item 3 in Act on seafarers' conditions of employment, etc.

Section 5. If it can be proved that an employee has lost books, laptop computer, and other devices, brought on board and used in the service on board, the employee is entitled to a particular compensation. Unless otherwise agreed, the amount of compensation, when paid out, will be calculated from the acquisition value.

Section 6. This executive order shall enter into force on 20th August 2013 and is valid for calculation of compensation for the employees' personal possessions that have been lost on 20th August 2013 or later.

Vinnumálaráðið, 18th June 2013

Johan Dahl

Minister of Trade and Industry

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Permanent Secretary