

(Translation. Only the Faroese version has legal validity)

Executive order no. 134 of 21 September 2017 on pregnant seafarers' right to demand discharge and to free repatriation

Under the provisions in sections 9 and 70 in Parliamentary Act no. 4 of 15 January 1988 on Seafarers' Conditions of Employment, etc., as amended by Parliamentary Act no. 71 of 30 May 2011, the following shall be laid down:

Section 1. The executive order shall apply to all pregnant seafarers carrying out work on a Faroese ship, except for seafarers who carry out work on board only while the ship is berthed in port.

Section 2. A seafarer is entitled to demand to be discharged when it is considered necessary that the service is terminated in consideration of her, the coming birth or the child.

Subsection 2. The seafarer is entitled to demand discharge after the expiry of the fourth month of pregnancy when it will not be possible for her to be attended by a doctor as necessary if she continues serving on board. The seafarer is always entitled to demand to be discharged after the expiry of the sixth month of pregnancy.

Section 3. When a seafarer is no longer able to perform her duties on board due to pregnancy, the master shall exempt her from service on board and arrange for her leave.

Section 4. A seafarer who demands to be discharged according to section 2 and who wants to go to her place of residence in Faroe Islands, shall have a right to free repatriation with subsistence allowance at the expense of the National Treasury.

Subsection 2. If the birth takes place abroad, the Faroese Maritime Authority may offer a free repatriation as stipulated in subsection 1 for both the mother and the child after the birth.

Subsection 3. If a pregnant seafarer wants to be repatriated to her place of residence in Faroe Islands according to subsection 1, the requirement for a free repatriation shall insofar as possible be presented when the seafarer is to be discharged. A request for repatriation according to subsection 2 shall be presented within one month after the birth.

Section 5. If a seafarer becomes aware that she is pregnant during service and if she wants to use the right to be discharged according to section 2, she shall as soon as possible inform the master when she wants to be discharged.

Subsection 2. The master shall, when becoming aware of a seafarer's pregnancy, give her an opportunity to be attended by a doctor for the necessary prenatal care in the first port where this is possible. Furthermore, the master shall be obliged to inform the seafarer about the planned voyage of the ship to the extent that it is possible before the medical examination.

Section 6. Repatriation pursuant to section 4 may be arranged by a Danish Consulate or by the master if there is no Consulate at the location.

Subsection 2. It shall be a condition for acquiring refunds for the repatriation that the necessary documentation of the expenses incurred is available and that reasonable economic considerations have been taken in connection with measures under this executive order.

Section 7. This executive order shall enter into force the day after it has been promulgated

Ministry of Foreign Affairs, Industry and Trade, 21 September 2017

Poul Michelsen
Minister

/Herálvur Joensen