

(Translation. Only the Faroese version has legal validity)

**Executive Order No. 117 of 22 August 2022 from the Faroese Maritime Authority on
accommodation etc. in merchant vessels**

Under the provisions in section 2, subsection 2, section 7 subsection 2, section 8, section 10 subsection 1, section 15 subsection 1 and section 49 subsection 2 in Parliamentary Act No. 165 of 21 December 2001 on Safety at Sea as amended by Parliamentary Act No. 71 of 30 May 2011, Parliamentary Act No. 122 of 15 December 2014 and Parliamentary Act No. 61 of 17 May 2013 the following shall be laid down:

Section 1. This executive order applies to merchant vessels with the exemptions mentioned in annex 2.

Subsection 2. Detailed regulations regarding the construction and equipment of the vessels mentioned in subsection 1, are published in annex 1 and 2 to this executive order.

Section 2. This executive order comes into force the day after it has been promulgated.

The Faroese Maritime Authority, 22 August 2022

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The executive order in general:

The provisions of this executive order shall be read, understood and interpreted with regard to below mentioned amendments and adjustments to Faroese conditions:

- 1) Everywhere where “the Danish Maritime Authority” or other Danish authority is stated in annex 2 to this executive order, it shall, when it concerns Faroese jurisdiction, be understood as “the Faroese Maritime Authority” or other possible authorized Faroese authority.
- 2) Everywhere where the wordings “Denmark/Danish”, “Greenland/Greenlandic” or “Danish vessel/Greenlandic vessel” are stated in annex 2 to this executive order, they shall be understood as “the Faroe Islands/Faroese” or “Faroese vessels” unless the provisions concern circumstances outside Faroese jurisdiction.
- 3) Since the Faroe Islands is not an EU member State, the provisions in this executive order with regard to formal internal rights and obligations for an EU member State towards another member state or the obligation to report etc. towards an EU authority, do not apply to Faroe Islands unless this directly has been imposed on third country vessels. Technical requirements arising from EU regulations, and which are laid down in this executive order are, however, applicable to relevant Faroese vessels, covered by this executive order, to the extent the mentioned EU regulations also apply to vessels not flying the EU flag.
- 4) The Faroese Maritime Authority may either in general or in each specific case, deviate from the time limits on fulfilling the requirements mentioned in annex 2, provided that it is not contrary to the Faroe Island’s obligations pursuant to international conventions and possible EU regulations.
- 5) In general, the executive order shall be read and understood with regard to Faroese vessels, Faroese conditions and Faroese jurisdiction.
- 6) The dates mentioned in the annexes to this executive order, and which are connected to the entry into force of the relevant Danish regulations, shall, in Faroese context, be understood as applicable from the date this executive order from the Faroese Maritime Authority enters into force.

Accommodation and recreational facilities in merchant vessels

Chapter 1

Purpose

1. The purpose of this executive order is to ensure decent accommodation and recreational facilities for seafarers working or living on board merchant ships registered in Denmark and Greenland, as defined in chapter 2, in order to promote the health and well-being of seafarers.

1.2 This executive order contains provisions for accommodation that are based on, among other things, the Maritime Labour Convention (MLC) of the International Labour Organisation of the United Nations, and thus does not affect other existing international, regional or national requirements which may have an influence on the layout etc. of the accommodation, such as the provisions on fire safety, including escape routes, of the United Nations International Maritime Organisation's Safety of Life at Sea (SOLAS) Convention, EU regulations on food law and food hygiene requirements respectively, and the Smoke-Free Environment Act.

Chapter 2

Scope, definitions and exemptions, etc.

Areas of application

2. The executive order shall apply to all merchant vessels registered in Denmark and Greenland, cf. however item 2.

2.2. However, the design requirements of paragraphs 5, 13, 18, 28 and 30 shall not apply to ships built before 1 July 2018, which shall instead comply with the corresponding provisions of chapter II-3 of Notices from the Danish Maritime Authority B in force at the time when the ship in question was built

2.3. A ship shall be deemed to have been built on the date on which the keel was laid or on which she was at a similar stage of construction.

2.4. Accommodation etc. on mobile offshore units shall also comply with the provisions of this executive order, taking into account the particular conditions on board such units.

2.5. This executive order shall not apply to:

- 1) Small commercial vessels with a length L of less than 15 metres and with a scantling number of less than 100.
- 2) Passenger vessels of less than 24 metres in length operating exclusively in port areas or inland lakes, etc.
- 3) Fishing vessels.
- 4) Ships with traditional construction such as dhows and junks.
- 5) Warships.
- 6) Fleet auxiliaries.
- 7) Recreational craft.

Definitions

3. For the purposes of this executive order:

- 1) Seafarer: any person, including the master, employed or engaged or working on board a ship in any capacity.
- 2) Ship's officers: chief steward, engineers, radio operators and mates.
- 3) Junior Officer: a ship's officer at operational level.
- 4) Senior Officer: a ship's officer at senior level.
- 5) Merchant ship: any ship other than fishing vessels and recreational craft.
- 6) Passenger ship: a vessel carrying more than 12 passengers.
- 7) Cargo ship: a merchant ship other than a passenger ship.
- 8) Special purpose ship means a ship designed in accordance with the provisions of the IMO Code of Safety for Special Purpose Ships, 1983 and subsequent versions.
- 9) Fishing vessel: a vessel whose nationality certificate bears a port identification number.
- 10) Recreational craft: a vessel not used for commercial purposes.
- 11) Gross tonnage: the gross tonnage (GT), rounded down without decimals, indicated at all times on the tonnage certificate of the vessel.
- 12) Length L1: is the length measured from the forward edge of the intersection of the plating with the upper surface of the deck at the bow to the aft edge of the intersection of the plating with the deck at the stern.
- 13) Length (L): calculated as 96% of the total length of a waterline at 85% of the minimum depth (moulded) measured from the keel line, or as the length from the bow to the axis of the stem of the rudder calculated on the said waterline, if this length is the greater. In vessels with steering speed, the waterline on which the length is measured shall be parallel to the drawn waterline).
- 14) Coastal navigation: trade in the North Sea east of 3 degrees E. Longitude and south of 62 degrees N. latitude, trade in the Baltic Sea and trade along the coast of Greenland at a distance of not more than 30 nautical miles from the coast (baseline).
- 15) Accommodation: the sleeping quarters, dining rooms, sanitary facilities, hospital rooms, leisure rooms, offices, etc., for the use of seafarers.
- 16) International trade: trade between a Danish and a foreign port or between two foreign ports, as well as trade between Denmark and the Faroe Islands or Greenland and trade between the Faroe Islands and Greenland.
- 17) National trade: all trade that is not international trade.
- 18) Scantling numbers of small commercial vessels: Length L1 multiplied by width (L1 x W).

Exemptions, etc.

4. Exemptions from the requirements of this executive order may be made only where expressly permitted by this executive order and only in exceptional circumstances where essential circumstances justify such exemptions and provided that the health and safety of seafarers is protected.

4.2. In ships where there is a need to take into account seafarers with different religious and social customs without discrimination, the Danish Maritime Authority may, after consultation with the relevant organisations for shipowners and seafarers, allow reasonable exemptions.

This may be done only on condition that the exemptions do not result in less favourable facilities for seafarers.

4.3. The Danish Maritime Authority may, after consultation with the relevant shipowners' and seafarers' organisations, exempt ships of less than 200 gross tonnage from the requirements of the following provisions, where this is reasonable, taking into account the size of the ship and the number of persons on board:

- 1) Paragraph 12 item 2,
- 2) Paragraph 18 item 1, and items 3-7, as far as the floor area is concerned,
- 3) Paragraph 26 item 2, and
- 4) Paragraph 30 items 1 and 2.

4.4. The Danish Maritime Authority shall inform the relevant shipowners' and seafarers' organisations of cases in which ships that have made use of the exemption provisions referred to in paragraph 8, paragraph 15 item 4, paragraph 19 item 3, paragraph 25 item 4, paragraph 30 item 3 and paragraph 32 item 3 are approved by the Danish Maritime Authority.

Chapter 3

General requirements for accommodation

5. There shall be an adequate ceiling height in all seafarers' accommodations.

5.2 The minimum ceiling height in all seafarers' accommodations where full freedom of movement is required shall not be less than 203 cm.

5.3. The Danish Maritime Authority may permit a minor reduction in ceiling height in any room or in any part of such room in the accommodation area where the Authority is satisfied that such a reduction is reasonable and will not be an inconvenience to seafarers.

6. The accommodation shall be adequately insulated, in particular, to prevent condensation or overheating, cf. also paragraphs 11 and 12.

7. In ships other than passenger ships, sleeping quarters shall be situated amidships or aft above the load line or, in the case of ships not bearing load line marks, above the upper load waterline, cf. however paragraph 8.

7.2 However, in exceptional cases, where the size, type or intended speed of the ship makes any other location impracticable, sleeping quarters may be placed in the forward part of the ship, but in no case forward of the bulkhead.

7.3 On passenger ships and special purpose ships, the Danish Maritime Authority may, provided that satisfactory lighting and ventilation arrangements are provided, permit sleeping quarters to be situated below the load line, provided that in no case shall they be situated immediately below working passages.

7.4 There shall be no direct openings to sleeping quarters from cargo and machinery rooms or from galleys, storage rooms, drying rooms or common sanitary rooms; the part of a bulkhead separating such rooms from sleeping quarters and exterior bulkheads shall be constructed effectively of steel or other approved material and shall be watertight and gastight.

8. In ships of less than 200 gross tonnage engaged on domestic trade, sleeping quarters may be located below the load line or the upper load waterline, provided that due regard is paid to health, safety and working environment conditions, cf. paragraph 11 including

1) The sleeping quarter is fitted with at least two emergency exits and an audible low alarm that is audible under all operating conditions, and

2) In each sleeping quarter there are additional life jackets for each person for whom the quarters are used, in addition to life jackets on deck, and adjustable lighting to compensate for lack of daylight.

8.2. There shall also be bridge procedures with instructions for general alarming, which shall be clearly audible in the sleeping quarters under all operating conditions.

8.3 Sleeping quarters shall be used for resting only when there is no disturbing noise or vibration from work on the deck above or from nearby machinery.

8.4 Sleeping quarters shall in no case be located in front of the collision bulkhead.

9. Materials used for the construction of interior bulkheads, panels and boards, floors and joints shall be suitable for the purpose and contribute to ensuring a healthy working environment, cf. paragraph 11.

10. Proper lighting and adequate drainage shall be provided.

10.2 Accommodations shall be illuminated by daylight and provided with electric lighting, which shall be so arranged as to afford the maximum benefit to the persons occupying the quarters.

10.3 Recognised international or Danish standards or the Danish Working Environment Authority's (WEA) guidance on artificial lighting may be used to establish requirements for correct lighting.

11. Accommodation, leisure and catering facilities shall comply with applicable health and safety protection and accident prevention provisions in order to avoid the risk of exposure to hazardous noise- and vibration levels and other environmental factors and chemicals on board ships and to ensure a decent working environment and living conditions for seafarers on board.

Chapter 4

Ventilation and heating

Section 12. Sleeping quarters and dining rooms shall be adequately ventilated.

12.2 With the exception of ships regularly operating in areas where temperate climatic conditions do not require it, all ships shall be fitted with air-conditioning systems in seafarers' accommodation, in any separate radio rooms and in any central machinery control rooms.

12.3 All rooms used for sanitary purposes, food preparation, medical treatment, laundry or similar purposes shall have free air ventilation independent of the other parts of the accommodation area, so that disease, bad smells or air are not spread.

12.4 Adequate heating shall be provided by means of a suitable air-conditioning system, except on ships operating exclusively in tropical climates.

12.5 Ventilation and air-conditioning systems shall be fitted with suitable filters at air intakes and shall be designed to take account of the special conditions of operation at sea and shall not cause irritating noise or vibration, cf. also paragraph 11.

12.6 Ventilation and air conditioning systems, cf. however item 7, must be adjustable and be designed and dimensioned in accordance with a recognized international or Danish standard, cf. also paragraph 11.

12.7 In the absence of a recognized international or Danish standard, the following minimum requirements must be met:

1) Ventilation of sleeping quarters, dining rooms, leisure rooms, offices and hospital rooms shall be provided by supplying air equivalent to six air changes per hour and ventilation of toilets and bathrooms shall be dimensioned for ten air changes per hour.

2) The air-conditioning system may be a central system or consist of separate units and must be dimensioned so that, at 35°C and 70% relative humidity outside, it can maintain 29°C and approximately 50% relative humidity inside. No more than 50% return air shall be used. These requirements shall be achievable with the hourly air change requirements referred to in point 1.

3) The air conditioning chiller and air coolers must also be sized to maintain 24°C and approximately 50% relative humidity inside at 28°C and 80% relative humidity outside. These conditions must be achievable with the hourly air change requirements referred to in point 1.

12.8 In ships carrying dangerous substances, ventilation shall be such that air from hospital rooms and separate changing rooms cannot escape into other rooms in the accommodation. Recirculation of air from hospital rooms is not allowed. Doors to corridors leading to other accommodation shall not be fitted with a ventilation aperture and any ventilation duct shall be fitted with a non-return flap or other means shall be provided to ensure that air does not escape into other accommodation.

Chapter 5

Sleeping quarters and dining room lighting

13. Subject to the special arrangements which may be permitted in passenger ships, sleeping quarters and dining rooms shall be illuminated by daylight and fitted with adequate artificial lighting, cf. paragraph 10.

Chapter 6

Specific to sleeping quarters

14. The following provisions shall apply only where sleeping quarters are required on board ships.

Number of sleeping quarters

15. With the exception of passenger ships, separate sleeping quarters shall be provided for each seafarer, cf. however items 2 and 4.

15.2 The Danish Maritime Authority may exempt ships of less than 3,000 gross tonnage and special purpose ships from the requirement of item 1 after consultation with the relevant seafarers' and shipowners' organisations, except in the case of officers' sleeping quarters.

15.3 There shall be separate sleeping quarters for men and women.

15.4 In ships of less than 200 gross tonnage engaged in shifting operations of not more than two weeks' duration in connection with the ship's transfer to other duties or areas of operation, it shall be permitted for there to be no separate sleeping quarters for each seafarer. In such cases, the sleeping quarters may be used by no more than two seafarers and only one seafarer may rest in the sleeping quarters at a time. It is understood that shifting will only take place with the operational crew on board and that this crew will be provided with adequate catering on board.

Sleeping quarters size and equipment

16. Sleeping quarters shall be of adequate size and suitably equipped to ensure reasonable comfort and ease of cleaning.

Berths

17. In any event, there shall be a separate berth for each seafarer.

17.2 The minimum internal dimensions of berths shall be at least 198 cm by 80 cm.

17.3 Berths shall not be placed immediately adjacent to each other.

17.4 More than 2 berths shall not be placed one above the other. There shall be adequate space between the berth ends, between the bottom of the lower berth and the floor and between the bottom of the upper berth and the ceiling.

Floor area in sleeping quarters

Section 18. In sleeping quarters with a single berth, the floor area shall not be less than:

- 1) 4.5 m² on ships with a gross tonnage of less than 3,000.
- 2) 5.5 m² on ships of 3,000 gross tonnage or more but less than 10,000.
- 3) 7 m² on ships of 10,000 gross tonnage or more.

18.2 However, the Danish Maritime Authority may permit a smaller floor area for the purpose of providing single-person cabins on ships of less than 3,000 gross tonnage, passenger ships and special purpose ships.

18.3 On ships of less than 3,000 gross tonnage, other than passenger ships and special-purpose vessels, sleeping quarters may be occupied by not more than two seafarers. The floor area of such sleeping quarters shall not be less than 7 m².

18.4 On passenger ships and special-purpose vessels, the floor area of sleeping quarters for seafarers not performing duties as ships' officers shall not be less than:

- 1) 7.5 m² in quarters for two people.
- 2) 11.5 m² in quarters for three people.
- 3) 14.5 m² in quarters for four people.

18.5 On special-purpose vessels more than four persons may be accommodated in the sleeping quarters. The floor area of such sleeping quarters shall not be less than 3.6 m² per person.

18.6 On ships other than passenger ships or special-purpose vessels, the floor area per person in sleeping quarters for seafarers performing duties as ships' officers and where there is no private dayroom or sitting room shall not be less than:

- 1) 7.5 m² on ships with a gross tonnage of less than 3,000.
- 2) 8.5 m² on ships of 3,000 gross tonnage or more but less than 10,000.
- 3) 10 m² on ships of 10,000 gross tonnage or more.

18.7 On passenger ships and special-purpose vessels, the floor area per seafarer performing duties as ship's officers and where there is no private dayroom or sitting room shall not be less than 7.5 m² for junior officers and not less than 8.5 m² for senior officers.

19. The master, chief engineer officer and chief mate shall, in addition to their sleeping quarters, have an adjoining dayroom, sitting room or similar additional room, cf. however items 2 and 3.

19.2 The Danish Maritime Authority may exempt ships of less than 3,000 gross tonnage from the requirements of item 1, after consultation with the relevant seafarers' and shipowners' organisations.

19.3 In ships of less than 200 gross tonnage, the master, chief engineer officer and chief mate shall not be required to have an adjoining dayroom, sitting room or similar additional room when the ship is engaged on day voyages or voyages of up to two weeks' duration in normal service. For other voyages, adequate other living quarter facilities shall be provided on board.

Furnishing of sleeping quarters

20. In the sleeping quarters there shall be a wardrobe with sufficient space but not less than 475 litres and a drawer or equivalent storage space capable of holding at least 56 litres for each occupant. If the drawer is integrated in the wardrobe, the total capacity of the wardrobe must be at least 500 litres. There must be a shelf in the wardrobe and the occupier must be able to lock it to ensure their privacy.

21. In each sleeping quarters there shall be a table or desk, which may be fixed, folding or retractable, and a comfortable seat as required.

21.2 Furthermore, suitable fittings shall be provided to afford seafarers privacy, including lockable lockers or drawers, bookshelves and curtains for windows.

Lockers for work clothes

22. There shall be one or more well-ventilated lockers of suitable size and arrangement outside the sleeping quarters for, among other things, work clothes.

Chapter 7

Specific to the dining room

23. The dining room shall be separate from the sleeping quarters and as close as practicable to the galley, cf. however items 2 and 3.

23.2 The Danish Maritime Authority may exempt ships of less than 3,000 gross tonnage from the requirement with regard to the placement close to the galley after consultation with the relevant seafarers' and shipowners' organisations.

23.3 In ships of less than 500 gross tonnage, a separate dining room shall not be required. Instead, tables and seats shall be provided in the galley or other suitable place where seafarers may eat.

24. Dining rooms shall be of adequate size and comfort and be suitably furnished and fitted out having regard to the number of seafarers likely to use them at any one time.

24.2 A facility for obtaining refreshments at any time shall be provided, including the possibility to obtain hot drinks and chilled drinking water.

24.3 Separate or shared dining rooms shall be provided, as appropriate.

24.4 The dining room shall be designed in such a way that it is easy to clean.

24.5 There shall be access to an appropriately sited refrigeration appliance of a volume equivalent to the number of persons using the dining room or dining rooms. The volume must be at least ten litres per person up to ten persons and five litres per person for each additional person.

Chapter 8

Specific for sanitary facilities

25. All seafarers on board the ship shall have easy access to sanitary facilities which meet minimum health and hygiene requirements and a reasonable level of comfort.

25.2 There shall be separate sanitary facilities for men and women.

25.3 There shall be easy access to sanitary facilities from the bridge and from the engine room or from a position close to the engine control room. The Danish Maritime Authority may exempt ships with a gross tonnage of less than 3,000 from this requirement after consultation with the relevant organisations for seafarers and shipowners, cf. however item 4.

25.4 In ships of less than 200 gross tonnage, not immediate access to sanitary facilities from the bridge and the engine room or from a position close to the engine control room shall be

permitted provided that easy access to the ship's other sanitary facilities is ensured and that the ship's navigating bridge procedures ensure the maintenance of a watch on board.

26. In a convenient place on all ships, there shall be at least one toilet, one sink and one bath or shower for every six persons or less who do not have personal facilities.

26.2 With the exception of passenger ships, a sink with hot and cold running fresh water shall be provided in each sleeping quarters, except where such a sink is in the private bathroom.

26.3 On passenger ships not normally making voyages of more than four hours' duration, the Danish Maritime Authority may permit special arrangements or a reduction in the number of facilities required.

27. Hot and cold running fresh water shall be provided at all washing stations.

27.2 Shared toilet facilities, if intended for more than two persons, shall be separated from sleeping quarters and bathing facilities.

27.3 There shall be no direct access from sleeping quarters or other accommodation to toilet or bathing facilities intended for more than two persons.

27.4 Where there are no single or double-occupancy bathrooms, ships of 3,000 gross tonnage or more shall have common changing rooms with washing facilities.

28. In ships of 3,000 gross tonnage or more, all officers shall be provided with separate bathrooms adjoining their sleeping quarters with a toilet, shower and sink with hot and cold fresh water.

Chapter 9

Specific requirements for hospital rooms

29. In ships operating outside GMDSS sea area A1 and where the crew is 15 or more seafarers, a separate hospital room shall be provided for medical purposes only.

29.2 The Danish Maritime Authority may relax the requirement in item 1 for ships engaged in coastal navigation.

29.3 It shall be ensured that

- 1) There is easy access to the hospital room in all weather conditions,
- 2) The hospital room is comfortable to stay in, and
- 3) That patients receive prompt and appropriate care.

29.4 In ships where each seafarer has their own sleeping quarters with toilet and bath, the hospital room referred to in item 1 may be replaced by a treatment room (accident and emergency room) which shall be suitably equipped, including a sink and an emergency treatment area. One bed in the treatment room is sufficient regardless of the size of the ship.

29.5 Persons confined to bed shall have the means of calling for assistance.

29.6 Injured persons must be transported in a safe manner from the scene of the accident to the hospital or treatment room.

29.7 Appropriate means of communication must be available from the hospital room so that the treatment practitioner can talk to Radio Medical.

Chapter 10

Leisure facilities and other conditions

Laundry facilities

30. Laundry facilities shall be provided in a well-placed and well-equipped manner.

30.2 Laundry and drying rooms shall be suitably located in relation to the accommodations.

30.3 In ships of less than 200 gross tonnage engaged on domestic trade, the requirements of items 1 and 2 may be waived if other suitable washing facilities are available.

Access to open deck

31. All ships shall have one or more open deck areas to which seafarers have access when off duty and which shall be of an appropriate size having regard to the size of the ship, the number of seafarers on board and the climatic conditions in which the ship operates.

31.2 Within the open deck areas referred to in item 1, appropriate leisure facilities shall be provided having regard to the size of the ship and the number of seafarers on board unless such facilities are provided elsewhere on board, cf. paragraph 34 item 2.

Offices

32. All ships shall have separate offices or a common ship's office of reasonable size and, as far as possible, lighted by daylight and with adequate furniture for the use of the deck and engine room departments.

32.2 The Danish Maritime Authority may exempt ships of less than 3,000 gross tonnage from the requirements of item 1, after consultation with the relevant seafarers' and ship-owners' organisations.

32.3 In ships with a gross tonnage of less than 200, it is permitted that the requirements in item 1 are waived if access to office work is ensured in another room of the ship's accommodation or on land and taking into account that office work is not an obstacle to maintaining a watch on board.

Mosquito-infested areas

33. In ships which regularly call at mosquito-infested ports, measures shall be taken to protect the accommodations against the entry of mosquitoes by fitting suitable nets on windows, ventilators and doors to the open air.

33.2 Ships fitted with air-conditioning systems complying with the requirements for such systems shall be exempt from the requirement laid down in item 1.

Leisure facilities

34. Adequate leisure facilities, amenities and services shall be provided on board, adapted to the special needs of seafarers living and working on board, for the benefit of all seafarers, taking into account applicable health and safety protection and accident prevention provisions.

34.2 Leisure facilities referred to in item 1 shall, taking into account the size of the ship and the number of seafarers on board, provide opportunities for joint activities, including, for example, opportunities for fitness activities and the ability to watch films or use IT equipment, including Internet connection, taking into account the actual conditions.

Chapter 11

Inspections

35. The master or person entrusted with this duty shall ensure by frequent inspections that the seafarers' accommodation is clean, suitable for habitation and in a good state of repair.

35.2 The results of such inspections shall be recorded and made available for inspection.