

DMLC I

Maritime Labour Convention, 2006

Declaration of Maritime Labour Compliance - Part I

(Note: This Declaration must be attached to the ship's Maritime Labour Certificate)

In the below, references are to a series of Faroese Parliamentary Acts, Executive Orders and Notices from the Faroese Maritime Authority that implement the following international convention

- The Maritime Labour Convention, 2006 (MLC 2006)

With respect to the provisions of the Maritime Labour Convention, 2006, the following referenced ship:

Name of Ship:

IMO Number:

Gross Tonnage:

is maintained in accordance with Standard A5.1.3 of the Convention.

The undersigned declares, on behalf of the abovementioned competent authority, that:

(a) the provisions of the Maritime Labour Convention are fully embodied in the national requirements referred to below;

(b) these national requirements are contained in the national provisions referenced below explanations concerning the content of those provisions are provided where necessary;

(c) the details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided

<under the corresponding national requirement listed below>

<in the section provided for this purpose below>

(strike out the statement which is not applicable)

(d) any exemptions granted by the competent authority in accordance with Title 3 are clearly indicated in the section provided for this purpose below; and

(e) any ship-type specific requirements under national legislation are also referenced under the requirements concerned.

1. MINIMUM AGE (REGULATION 1.1)

Parliamentary Act on seafarers' conditions of employment etc. section 4, minimum age provisions

The minimum age required of seafarers working on Faroese ships is the one stipulated in the MLC, i.e. 16 years. For the protection of seafarers between the age of 16 and 18 years, special regulation have been laid down on hours of rest, night work, etc., as mentioned below under 6

Parliamentary Act on manning of ships, section 7, Ship's cook

Ship's cooks prescribed in the ship's minimum safe manning document must not be below the age 18

2. MEDICAL CERTIFICATION (REGULATION 1.2)

Parliamentary Act on seafarers' conditions of employment etc. section 4. subsection 2

Executive Order on medical examination of seafarers

- In order to work on board a ship, seafarers must hold a valid health certificate documenting that the seafarer has been found fit for ship service, if relevant with certain limitations, through the special medical examination of seafarers.
- The form and contents of the certificate is determined by the Faroese Maritime Authority and is in both Faroese and English.
- In the Faroe Islands, medical examinations must be carried out only by maritime medical practitioners appointed by the Faroese Maritime Authority who have been assigned a special maritime medical practitioner's number. An overview of maritime medical practitioners is available from the webpage of the Faroese Maritime Authority (www.fma.fo). Outside the Faroe Islands, the medical examination can be carried out by medical practitioners approved in the relevant country to carry out national medical examinations of seafarers.
- The maritime medical practitioner uses the digital medical certificate prescribed by the Faroese Maritime Authority laying down, inter alia, the scope of the medical examination and whether the seafarer is fit for lookout duty. The medical certificate is available from the webpage of the Faroese Maritime Authority (www.fma.fo). The master verifies the seafarer's medical certificate if the examination is conducted by a medical practitioner who is certified abroad.
- The maritime medical practitioner issues or endorses the seafarer's health certificate with regard to the result of the medical examination and whether the examination of the seafarer's sight and hearing makes the seafarer fit for lookout duty. In this connection, the maritime medical practitioner states his name and address and stamps the certificate with the assigned maritime medical practitioner's number. In connection with medical examinations outside the Faroe Islands, this is done by the master stating the examining medical practitioner's name and address as well as the master's name and ship's name. The Faroese Maritime Authority can also issue a health certificate to a seafarer or endorse it.
- For seafarers of 18 years of age or older, the medical examination and thus also the health certificate has a validity of 2 years, calculated from the date of the examination, whereas the medical examination for seafarers below the age of 18 has a validity of 1 year. However, the examining medical practitioner can limit the medical examination and thus also the period of validity of the health certificate. If the period of validity of the health certificate expires during a ship's voyage, the certificate remains valid until its first call at a port where it is possible to carry out the examination without unnecessary delay, however no more than 3 months from the date of expiry.
- When the seafarer signs on, he or she must hand over the health certificate to the master who must keep it for as long as the seafarer serves on board.
- **Complaints**
The decision by the maritime medical practitioner or by the foreign medical practitioner that a seafarer is unfit for ship service or fit with limitations and the subsequent endorsement of the health certificate can in writing be brought before the special Faroese Health Shipping Tribunal (Heilsunevndin fyri sjófolk). The Faroese Health Shipping Tribunal is a Faroese independent public authority. As regards complaints about decisions about the importance of a seafarer's sight and hearing for the work on board, the Faroese Maritime Authority is the complaint authority.

3. QUALIFICATIONS OF SEAFARERS (REGULATION 1.3)

Parliamentary Act on manning of ships.

Parliamentary Act on the maritime education programmes.

- Requirements for seafarers' qualifications are primarily regulated through the Act on the manning of ships and the Act on the maritime education programmes. A number of regulations have been issued pursuant to the two Acts mentioned above, and those regulations fully consider the requirements of regulation 1.3. The Faroe Islands have ratified the STCW Convention. Thus, ship's officers holding both Faroese and foreign certificates of competency are certified in accordance with the STCW Convention, as amended. Similarly, other seafarers must be instructed about personal safety in accordance with the STCW Convention before commencing service on board.

4. SEAFARERS' EMPLOYMENT AGREEMENTS (REGULATION 2.1)

Parliamentary Act on seafarers' conditions of employment etc. section 3.

Executive Order on the employer's obligation to conclude a written contract with the seafarer on the conditions of employment.

- A written employment contract must be concluded between the seafarer and the shipowner or the employer or the one who has assumed the responsibilities of the shipowner or the employer. The contract must be concluded no later than at the beginning of the employment; and for ship-employed seafarers no later than at the beginning of the service on board. The seafarer must have a chance of going through the employment contract and seeking advice about its terms before signing it.

Contents of the employment contract

- The seafarer must receive a copy of the employment contract signed by the shipowner/employer or the one who has assumed the responsibilities of the shipowner or the employer. There is no requirement for a special form of the seafarer's employment contract.
- The employment contract must contain information about all conditions of importance to the employment as they are stipulated in the executive order which is available in English from the webpage of the Faroese Maritime Authority (www.fma.fo). When the seafarer or the employer terminates the employment, the date hereof as well as how the employment has been terminated must be given in writing.
- With regard to some of the information about the employment, the shipowner's obligation is considered met if the employment contract refers to acts, administrative provisions or collective agreements pertaining to the relevant conditions.
- If a collective agreement constitutes the entire or parts of the seafarer's employment contract, the shipowner must ensure that a copy of this collective agreement is available on board. As regards ships engaged in international voyages, only the parts of or the collective agreements subject to Port State Control inspections must be available in English.

A copy of the employment contract must be available on board

- The seafarer must bring along or, before the ship's departure, procure a copy of the employment agreement for the master, who must keep it on board for as long as the employee serves on board. The seafarer's signature must be evident from the copy when it is handed over on board. As regards ships engaged on international voyages, an English copy of any standard form used must also be available on board.

Parliamentary Act on seafarers' conditions of employment etc. section 72

- The master must ensure that a copy of the act and the provisions issued pursuant hereof is available on board in Faroese and English and is available to the seafarers.

Executive Order on discharge books (seamen's books)

- A seafarer who is a Faroese citizen must, when signing on, hold a Faroese discharge book.
- As regards other Faroese seafarers and foreign seafarers, the master must upon request confirm the employment by endorsing the relevant person's discharge book or in some other way, for example through a special statement.
- A filled in discharge book or a written statement from the master is considered sufficient recording of the seafarer's employment.

Parliamentary Act on seafarer's conditions of employment etc. sections 5, 37, 45, etc., Provisions on notice of termination and resignation/dismissal

Notice of termination

- Able-bodied seafarers must be given or give 7 days' notice unless otherwise agreed by contract or by collective agreement. The seafarer can have a shorter notice than the shipowner, but not the other way around.
- Ship's officers must in general be given or give 3 months' notice if the officer is engaged through an open-ended contract. However, the shipowner's notice cannot be less than 1 month during the first year. If the officer is engaged on a time contract, the notice will typically be shorter and in general either 1 month or 7 days. Just as is the case for able-bodied seafarers, shorter notice cannot be agreed for the shipowner than for the officer.

Resignation/dismissal (unilateral termination of the contract with notice before the expiry of the employment period)

- *By the seafarer*
The Act contains a number of provisions entitling the seafarer to terminate the contract without notice (resignation). For example in cases where the ship is unseaworthy, is to call at a port with a virulent epidemic or no longer flies the Faroese flag. In each individual case, certain conditions must be met that are described in more details in the individual provisions of the Act. Thus, the regulation of Standard A.2.1, paragraph 6, is met.
- *By the shipowner*
Furthermore, the Act contains provisions entitling the shipowner/master to terminate the seafarer's employment without notice in case of, for example, incompetence, loss of ship, gross neglect by the seafarer, repeated disobedience, violent behaviour or drunkenness on board, etc. thus, the regulation in Standard A.2.1, paragraph 6, is met.
- Special regulations apply to the master meeting the requirements of Standard A.2.1, paragraph 6.

5. USE OF ANY LICENSED OR CERTIFIED OR REGULATED PRIVATE RECRUITMENT AND PLACEMENT SERVICE (REGULATION 1.4)

Parliamentary Act on seafarers' conditions of employment etc. Section 8a - 8e.

Executive Order on the activities of private recruitment and placement services for seafarers.

- Private recruitment and placement service for services for seafarers, the primary purpose of which is to recruit or place seafarers or which recruit or place a considerable number of seafarers must be operated in Faroe Islands only if they are certified for this purpose by the Faroese Maritime Authority.
- Shipowners using such Faroese private recruitment and placement services must ensure that the relevant services hold a valid certificate issued by the Faroese Maritime Authority. The certificate is normally valid for 5 years.
- Shipowners using private recruitment and placement services for seafarers in countries that have ratified the MLC or ILO Convention no. 179 on the recruitment and placement of seafarers (1996) must ensure that the relevant services hold a certificate or a license documenting that they are operated in accordance with the requirements of the relevant convention.
- If the relevant country does not issue such certificates or licenses to private recruitment or placement services, the shipowners must procure any other type of official confirmation that the relevant services are operated in accordance with the requirements of one of the conventions mentioned above.
- Shipowners using private recruitment and placement services for seafarers in countries that have not ratified the MLC or ILO Convention no. 179 must be able to document that the relevant services meet the requirements for recruitment and placement services stipulated in the relevant conventions.
- The Faroese Maritime Authority can approve a shipowner's use of a private recruitment and placement service for seafarers in a country that has not ratified the MLC or ILO Convention no. 179. The approval is granted for a limited period of time that is normally 5 years.

6. HOURS OF WORK OR REST (REGULATION 2.3)

Parliamentary Act on seafarers' conditions of employment etc. section 55

Executive Order on seafarers' hours of rest.

The MLC makes it possible to choose between regulating seafarers' hours of work or their hours of rest.

The Faroe Islands has chosen to regulate seafarers' hours of rest under the above-mentioned Executive Order.

Hours of rest per 24 hours and per week

- The seafarer must have at least 10 hours of rest during a 24-hour working day, at least 6 hours of which must be consecutive. The 10 hours must be divided into a maximum of two periods of rest, and there must be a maximum of 14 hours between the periods of rest. Absence from work counts as rest only if it has a duration of at least 1 hour. A seafarer's total hours of rest in a week must amount to at least 77 hours. All periods of rest are included.
- A working day is a 24-hour period commencing the first time the seafarer starts to work during a calendar day. A week is a consecutive period of 7 days. The Faroese Maritime Authority can permit that the daily and weekly hours of rest are calculated within the calendar day (00:00 -24:00 hours). A copy of the permit must be available on board.

Exemptions in case of recorded collective agreements

- Watch keeping seafarers or seafarers working on ships engaged on short voyages (such as ferry crossing) can be entitled to shorter periods of rest. However, this presupposes that a collective agreement has been concluded providing compensation in the form of more spare-time, compensation time or the like. The agreement must also take appropriate account of the seafarer's health and safety. The special collective agreement must not be used until it has been recorded by the Faroese Maritime Authority. The recorded agreement must be available on board.

Exemptions in special cases

- Seafarers on call must have a compensating period of rest if the normal period of rest is interrupted due to work and if such interruption without compensation of the employee means that the requirement for the rest hours of the 24-hour working day cannot be met.
- Employees on call must have total hours of rest during the 24 hour working day of at least 10 hours. One of the periods of rest must amount to at least 6 hours.
- Musters, fire and rescue drills and other prescribed drills must be carried out, however they shall interfere as little as possible with the seafarers' periods of rest and do not lead to fatigue. The total hours of rest during a 24-hour working day for a seafarer, irrespective of interruption, must be of at least 10 hours. One of the periods of rest must amount to at least 6 hours.
- Exemptions can be granted from the provisions on hours of rest in unforeseen emergencies, for example when it is necessary for the immediate safety of the ship, those on board or the cargo or to assist other ships or persons in distress at sea. The decision is made by the master and, as soon as it is practicable, he or she must make sure that the seafarer has a sufficient period of rest.

Regulations on prohibition against night work, etc. for young persons below the age of 18

- A seafarer below the age of 18 must have at least a 12-hour period of rest during a 24-hour working day. A seafarer below the age of 18 must not work during the period from 20.00 to 08.00 hours, and this period determines the concept of a night. However, the master can require that seafarers below the age of 18 work when it is necessary in consideration of the immediate safety of the ship, those on board or the cargo or to assist other ships or persons in distress at sea.
- For watchkeeping seafarers below the age of 18, the 12-hour period of rest can be divided into a maximum of two periods, one of which must have a duration of at least 9 hours and fall between 20.00 and 08.00 hours.
- However, the prohibition against night work does not apply if any other placement is necessary as part of a vocational training programme, a maritime training programme approved by the Faroese Maritime Authority or similar training of at least 2 years' duration leading to professional qualification.

Posters and recording of hours of rest

- In an easily accessible place on board, a record must be posted with information about each function on board and about the employees' periods of work at sea and in port, including watchkeeping periods for watchkeeping employees. The seafarer's periods of rest must be recorded on a special rest hour form on an ongoing basis. The Faroese Maritime Authority has issued forms of watchkeeping and rest hours in a standardized format. The forms are available as annexes to the executing order on hours of rest. If a shipping company wants another format, this must be approved by the Faroese Maritime Authority. The rest hour form must be kept in duplicate.
- The master or a person authorized by him and the seafarer must sign the hours of rest form every month. At suitable intervals and when the service on board terminates, the seafarer must receive a signed copy of the rest hour form. The ship's copy must be kept on board for 6 months after the termination of the ship service. The Faroese Maritime Authority can permit that seafarers' rest hour data are recorded and kept electronically on board. A copy of the Faroese Maritime Authority's approval must be available on board.

7. MANNING LEVELS FOR THE SHIP (REGULATION 2.7)

Parliamentary Act on manning of ships, section 3 etc.

Minimum safe manning document

- The Act on the manning of ships prescribes that, on all ships, there must be a master and in addition the crew necessary in consideration of the safety of human lives at sea.
- Passenger ships, irrespective of size, cargo ships with a gross tonnage of or above 20 and cargo ships with a gross tonnage below 20 engaged on international voyages must hold a certificate issued by the Faroese Maritime Authority containing the minimum safe manning. It is issued in consideration of IMO resolution A.1047(27) on the manning of ships.

- The minimum safe manning is established for each individual ship in consideration of the ship's type, arrangement, equipment, use and trade area so that the size and composition of the crew makes it possible to carry out all tasks of importance to the safety of the ship and those on board, including:
 - Maintenance of a safe bridge and engine watch;
 - Operation and maintenance of life-saving appliances;
 - Operation and maintenance of damage control, fire-extinguishing and communication equipment;
 - Other maintenance and cleaning of a safety-related nature;
 - Mooring operations;
 - Food and health conditions.
- In addition, the following must be taken into consideration when determining the minimum safe manning:
 - The watchkeeping arrangements on board;
 - Shift work;
 - The actual working hours of each individual crew member;
 - The provisions on rest hours in force; and
 - The use of general purpose crews.

Complaint

- The shipping company or the seafarer organisations have a possibility of bringing a minimum safe manning document before the Safe Manning Board (Sjóvinnuráðið), which will take the final administrative decision on the composition of the crew.

8. ACCOMMODATION (REGULATION 3.1)

Executive Order from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of ships, chapter II-3 (Notice B).

Executive Order from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged in domestic voyages, chapter II-3 (Notice D).

Accommodation

- Requirements for accommodation spaces are stipulated by chapter II-3 of Notice B and Notice D respectively. Notice B applies to new cargo ships with a length (L) of or above 15 meters or with scantlings of or above 100 and to passenger ships engaged in international voyages. Notice D applies to all new passenger ships engaged in domestic voyages.
The regulation contains provisions on the location, construction and arrangement of accommodation spaces, including standing height, insulation of accommodation spaces and materials, corridors, staircases and doors, exits, ventilation, air conditioning and heating as well as mosquito nets, lighting, the arrangement of cabins, including provisions on berths, floor area, fittings, provisions on dining rooms, galleys and storerooms, provisions on sanitary installations (toilets and bathrooms), special changing rooms, laundry facilities, offices as well cleaning and inspection, etc.
The requirements implementing this part, related to ship construction and equipment, apply only to ships the keel of which is laid or which are at a similar stage of construction on or after 20 August 2013, when the MLC enters into force.
As regards ships constructed before this date, the requirements on ship construction and equipment stipulated in ILO Convention no.92 on the accommodation of ship's crews (revised) as well as ILO Convention no.133 on the accommodation of ships crews (supplementary provisions) will continue to apply if they applied before the relevant date according to law and practice. A ship must be considered to be constructed on the date when the ship's keel is laid or when it is a similar stage of construction.
- Both ILO 92 and ILO 133 are fully implemented in Faroese law

Thus, chapter II-3 issued in connection with the implementation of the MLC on accommodation spaces fully takes account of the requirements of the MLC, regulation 3.1.

Exemptions and equivalents

- Any exemptions or equivalent solutions in relation to chapter II-3 must, however, be documented on board so that it is possible to verify compliance with the regulations during an inspection in a manner that is easy for the surveyor.
No exemptions have been made in the Faroese provisions. This is not possible within the framework of regulation 3.1.

9. ON-BOARD RECREATIONAL FACILITIES (REGULATION 3.1)

Executive Order from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of ships, chapter II-3 (Notice B).

Executive Order from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged in domestic voyages, chapter II-3 (Notice D).

Recreational facilities

- Requirements for recreational facilities are regulated by chapter II-3 of Notice B and Notice D respectively. Notice B applies to new cargo ships with a length (L) of or above 15 meters or with scantlings of or above 100 and to passenger ships engaged in international voyages. Notice D applies to all new passenger ships engaged in domestic voyages.
- The requirements contain provisions on outdoor area/recreational areas and recreational rooms. The requirements implementing this part, in which it is related to ship construction and equipment, apply only to ships the keel of which is laid or which are at a similar stage of construction on or after 20 August 2013, when the MLC enters into force.
- As regards ships constructed before this date, the requirements on ship construction and equipment stipulated in ILO Conventions no.92 and no. 133 on the accommodation of ships crew on board will continue to apply if they applied before the relevant date according to law and practice. A ship must be considered to be constructed on the date when the ship's keel is laid or when it is at a similar stage of construction.
- Both ILO 92 and ILO 133 Conventions are fully implemented in Faroese law

Thus, chapter II-3 issued in connection with the implementation of the MLC on accommodation spaces fully takes account of the requirements of the MLC regulation 3.1.

Exemptions and equivalents

Any exemptions or equivalent solutions in relation to chapter II-3 must however, be documented on board so that it is possible to verify compliance with the regulations during an inspection in a manner that is easy for the surveyor.

10. FOOD AND CATERING (REGULATION 3.2)

Parliamentary Act on seafarers' conditions of employment etc. section 53.

Executive Order on food on board Faroese ships.

- The food must be composed in such a manner that account is taken of the necessary content of proteins, fat and carbohydrates as well as of vitamins, minerals and salts. The food must be as varied as possible and appear appetizing. The composition of the food must be adjusted to the climatic conditions. Fresh or deep-frozen raw materials must be used insofar as possible.
- The food must be cooked and served under appropriate conditions of hygiene.
- Drinking water must be of sufficient quality and available in ample supplies in relation to the size of the crew on board.
- The food must be distributed on three main meals and one or more snacks between meals.
- The food must be offered in such quantities that everyone on board can get enough to eat.
- The composition of the food must be adjusted to the seafarers' religious beliefs and cultural background.
- The food must be free of charge to the seafarer during the period of service. However, it can be agreed between the parties that the right to free food can be met through the payment of compensating board-wages when the seafarer does not sleep on board.

Executive Order on the hygienic competences of seafarers handling of articles of food on board ships

- Persons signing on for a position on a Faroese merchant ship involving this person's handling of articles of food on board and not having a certificate of competency as a ship's cook must be able to document competences within self-monitoring procedures, general microbiology, including foodborne diseases, and hygienic principles, including cleaning, personal hygiene and the handling and storage of articles of food.
- The competences can be acquired either as part of a training programme or through a certificate training programme in food hygiene the contents of which is decided by the Faroese Ministry of Children and Education, Research and Culture (Barna- og útbúgvingarmálaráðið) where a certificate is acquired upon completion, or through training on board a ship of at least 7 day's duration where, among other things, e-learning is used.
- The master is responsible for the persons handling articles of food on board having documentation of the above mentioned competences.

Parliamentary Act on manning of ships and Executive Order on qualifications requirements to cooks serving on board merchant ships registered in the Faroese International Ship Register, and not holding a Faroese certificate of competency as a ship's cook.

- A cook prescribed in the minimum safe manning document of a ship must hold a Faroese certificate as a ship's cook. Nobody younger than 18 years must serve as a ship's cook.
- In ships registered in the Faroese International Ship Register no Faroese certificate as a ship's cook is required. Persons can serve in prescribed positions as ship's cooks if they can document apprenticeship in the cooking profession of 48 months, hereof at least 24 months in seagoing ships, or satisfactory completion of a cook's training programme with the relevant contents from a recognized training centre supplemented by an endorsement by the Faroese Maritime Authority confirming that the holder can serve as a prescribed cook.
- Persons who have acquired the right to work as a prescribed cook on board Faroese ships in accordance with the regulation in force before the entry into force of the ILO Maritime Labour Convention retain this right.

Executive Order from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of ships, chapter II-3 (Notice B).

Executive Order from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged in domestic voyages, chapter II-3 (Notice D).

Keeping of stores, etc (Notice B, chapter II-3, reg. 11.6) and (Notice D, chapter II-3, reg. 11.6)

- Suitable and sufficient possibilities of storing provisions as well as refrigerating and freezing arrangements must be available for easily perishable articles of food.

Drinking water (Notice B, chapter II-3, regulation 20.2) and (Notice D, chapter II-3, reg. 17.2)

- It shall be ensured that the drinking water on board (which is used for human purposes) is of a satisfactory quality suitable for the intended purpose. It shall be possible to prove this through regular analyses assessed against international standards.

Cleaning and inspection (Notice B, chapter II-3, regulation 11.6) and (Notice D, chapter II-3, reg. 11.6)

- Accommodation spaces (including the galley) must be kept clean and proper. Cleaning must take place on a daily basis. They must be used only for goods or stores belonging to the one(s) for whom the room is intended.
- Accommodation spaces must be disinfected to the extent necessary following every contagious disease on board.
- Accommodation spaces in which vermin are found must be cleaned and disinfected immediately.
- The master, or the person to whom the master has delegated this task must, together with one or more crew members, inspect all accommodation spaces at intervals of no more than one week.
- The result hereof must be entered in the ship's logbook if one is available or otherwise in the annexed file.

11. HEALTH AND SAFETY AND ACCIDENT PREVENTION (REGULATION 4.3)

Parliamentary Act on safety at sea, sections 8 and 13

Executive Order from the Faroese Maritime Authority on occupational health on board ships (Notice A)

- The Faroese regulations on occupational health apply to all work carried out on board ships and prescribe that the obligations rest with the shipowners, masters, foremen and other persons carrying out work on board. The regulations implement EU directives on the health and safety of employees during work, including pregnant employees, employees who have just given birth or who are breast-feeding. The regulations concern the planning and arrangement of the work, the performance of the work, training and instructions, control of occupational health, general preventive principles as well as occupational health effects (physical, biological and chemical ones). In addition, there are special regulations on young person's work on board ships, including certain types of work which must not be carried out by young persons below the age of 18.
- The planning and arrangement of the work presupposes that a workplace assessment is made which must be available in writing to the extent that it is of special importance to health and safety during work. The workplace assessment must, inter alia, be made in consideration of the best possible prevention of accidents or occupational injuries.

Occupational accidents and injuries

- The master of any ship must report occupational accidents and incidents of poisoning that have occurred on board the ship if the accident or the poisoning has led to incapacity for work for one day or more in addition to the day of the incident or if the injured person has not been able to carry out his or her usual work on board for one day or more in addition to the day of the injury.

The safety organization on board

- In merchant ships with a fixed manning of 4 or more persons, a safety organization must be established.
- The members of a safety group must have completed a course in occupational health approved by the Faroese Maritime Authority.
- The members of the safety organization must strive to solve health- and safety-related problems on board.
- The safety group must check that the working conditions and the work are arranged and carried out in a manner that is appropriate in terms of health and safety.

Executive Order from the Faroese Maritime Authority, chapter I, part B, Young people's work on board ships (Notice A)

- Seafarers below the age of 18 must not carry out work that is harmful to health. Chapter I, part B, describes work that is considered harmful to young seafarers' health. This includes, for example, work using certain technical equipment.
- Young seafarers must not be exposed to noise or vibrations that may present a risk to their health. In addition, work is prohibited in for example surrounding that, due to extremely high or extremely low temperatures, may present a risk to the safety of young seafarers, just as young seafarers must not work with or in any other way be exposed to the effects of harmful substances and materials.

A seafarer below the age of 18 can, however, carry out certain types of dangerous work to the extent that it is necessary to complete certain types of training. As regards work after the completion of the training programme, the same exemptions apply to the extent that they are necessary for the young person's employment and on the condition that the seafarer is still below the age of 18.

12. ON-BOARD MEDICAL CARE (REGULATION 4.1)

Parliamentary Act on seafarers' conditions of employment etc. section 27 etc.

Executive Order on medical examination of seafarers.

Executive Order from the Faroese Maritime Authority on medicine chest and medical treatment on board ships.

Parliamentary Act on Workers Compensation.

All in all, the regulations ensure the seafarer medical care, sickness benefit and employment injury benefit.

Medical treatment, etc.

- The regulations on medical treatment and ship's medicine apply to seafarers on board all ship with the exception of ships engaged in voyages of no more than half an hour's duration at sea and towboats and other ships navigating port areas. Similarly, the regulations on occupational health apply to all commercial work carried out on board new as well as existing Faroese ships.
- The regulations ensure that, in consideration of a ship's trade area, a ship's medicine chest is on board with the prescribed equipment, guidelines and medicine and that the master and another seafarer has completed a medical examiner training programme meeting, inter alia, the requirements of the STCW Convention hereon.
- The medical treatment on board must be arranged and carried out in accordance with the instructions given in the medical book authorized by the Faroese Maritime Authority.
- Through Radio Medical Denmark professional assistance is ensured 24 hours a day and free of charge for Faroese cargo and passenger ships registered in the Faroese International Ship Register (FAS), as well as other Faroese ships in international voyages.
- The ship's medical records, containing information about examinations, ordination from Radio Medical, treatment and the supply of medicaments, are confidential and handed over to the seafarer when he or she signs off. A copy of the record must be kept on board for a year, and subsequently the copy must be destroyed.

Executive Order from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of ships, chapter II-3 (Notice B).

Executive Order from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged in domestic voyages, chapter II-3 (Notice D).

- Requirement for the sickbays, hoist stretchers and hospital on board are stipulated in chapter II-3 of Notice B and Notice D respectively.
- Notice B applies to new cargo ships with a length (L) of or above 15 meters or with scantlings of or above 100 and to passenger ships engaged in international voyages.
- Notice D applies to all new passenger ships engaged in domestic voyages.
- However, instead of a sickness bay a treatment room can be established that must be appropriately equipped, including a washbasin and an acute treatment place when each member of the crew has his or her own cabin with associated toilet and shower.

Exemptions and equivalents

- Any exemptions or equivalent solutions in relation to chapter II-3 must, however, be documented on board so that it is possible to verify compliance with the regulation during an inspection in a manner that is easy for the surveyor.

13. ON-BOARD COMPLAINT PROCEDURES (REGULATION 5.1.5)

Parliamentary Act on seafarers' conditions of employment etc. section 62.

Executive Order on the handling of complaints on board Faroese ships.

Executive Order on confidentiality in connection with handling of complaints about working and living conditions on board ships.

- The shipowner is responsible that a written procedure is drawn up for the treatment of employee complaints. It must be stipulated in the complaint procedure that complaints must be given to the seafarer's superior.
- The complaint procedure must ensure that the complaint is promoted without any groundless delay to provide the employee with a reasonable possibility of bringing the complaint further.
- The complaint procedure drawn up must contain protective measures against the risk of personal persecution.
- The procedure must at all times entitle the plaintiff to be accompanied or represented during the complaint procedure.
- All complaints and decisions related to the complaints must be recorded on board and the plaintiff must receive a copy.
- All employees must, as an addition to their employment contracts, be furnished with a copy of the procedures on complaints on board the ship.
- Moreover, reference is made to the orders that must be available on board the ship and can be found in an English version on the webpage of the Faroese Maritime Authority (www.fma.fo).

14. PAYMENT OF WAGES (REGULATION 2.2)

Parliamentary Act on seafarers' conditions of employment etc. sections 21-26.

Parliamentary Act on workers' right to paid vacation.

Faroese law does not regulate the amount of wages and allowances to be paid to a seafarer and any adjustments hereof. Normally, this will be decided by collective agreement between the two sides of industry or by an individual agreement between the seafarer and the employer.

Seafarer's wages

- According to the Act, a seafarer is entitled to wages for work carried out, and it is earned on an ongoing basis though the amount of wages is normally fixed at an amount per month.
- Wages normally mean basic wages and increments. To this can be added other types of allowances for special service or for especially hard and burdensome work or the like.
- Information about wages and allowances must be stated in the seafarer's employment contract or through reference to a collective agreement.
- Wages run from the time agreed by the parties, however not later than from the time when the seafarer starts serving on board or as otherwise stipulated in section 21 of the Act.

Payment of wages and monthly statement

- The seafarer's wages must be paid at intervals of no more than 1 month.
- The seafarer can require the wages earned paid in cash only when the ship is in port and, while in the same country, not more frequently than every seventh day.
- Cash payment can be required in the local currency used in the port where the ship is berthed and the exchange rate of the day must be used. The seafarer can choose to have the paid wages as a special authorization of payment by the shipping company.
- According to the law, the seafarer must receive a monthly account of the wages earned including allowances, the wages paid and the rate of exchange used if the payment is made in another currency than the one agreed upon.

Transfer of seafarers' wages

- According to the Act, a seafarer can require the wages paid as monthly allotments to a specific person. However, payment cannot be required according to more than three parallel allotment notes. A seafarer can require all wages or parts hereof transferred to one or more financial institutions in Faroe Islands or abroad.

Prohibition against set-offs in wages

- Without the seafarer's consent, deductions can be made from wages only of amounts for covering liability to pay compensation claims incurred during the service, in addition to such amounts as the shipowner is ordered to withhold pursuant to statutory provisions. Deductions must be made from wages paid to the seafarer rather than from wages paid as allotments unless the seafarer decides otherwise.

15. FINANCIAL SECURITY FOR REPATRIATION (REGULATION 2.5)

Executive Order on insurance or other financial security for covering the shipowner's liability towards the seafarers and the master in case of breach of the employment agreement.

Parts of the requirement covered by Regulation 2.5, are covered by the Act on the Employees' Guarantee Fund (Tryggingargrunnurin fyri avreiðingar og lønir), which is a statutory scheme covering masters and seafarers on board Faroese ships if the general requirements to the Act are met. The coverage of the Fund is independent on whether the employer has paid the mandatory contribution.

Parts of the requirements covered by Standard A2.5.2, are furthermore, covered by the following Faroese public social security schemes covering masters and seafarers on board Faroese ships: the health insurance scheme for seafarers as well as the sickness benefit and maternity/paternity benefit schemes for seafarers.

The owner of a Faroese ship is required to take out insurance or provide other similar security meeting the requirements of regulation 2.5, Standard A2.5.2. Requirements covered by the Employees' Guarantee Fund or the above mentioned public social security schemes can, however, be exempted from the insurance or other similar security.

Proof of financial security under regulation 2.5 is therefore, as regards Faroese ships, constituted partly by a declaration from an insurance company or another provider of a guarantee that meets annex A2.1 of the Convention. If this declaration makes reservations as regards requirements covered by the Employees' Guarantee Fund or the above mentioned social security schemes, attached declarations from the Employees' Guarantee Fund and the Faroese Maritime Authority must also be carried on board the ship.

16. FINANCIAL SECURITY RELATING TO SHIPOWNERS' LIABILITY (REGULATION 4.2)

Executive Order on insurance or other financial security for covering the shipowners liability towards the seafarers and the master in case of breach of the employment agreement.

Seafarers on board Faroese ships are covered by the Faroese Parliamentary Act on Industrial Injury Insurance (Arbeiðsskaðalógin) on an equal footing with persons working in the Faroe Islands.

For confirmation of the protection of the seafarers and the master pursuant to the Faroese Parliamentary Act on Industrial Injury Insurance, attached declaration shall be available to the seafarers on board the ship. The declaration shall be in the working language of the ship or in English. If the ship is engaged in international trade, it shall be in English or a translation to English shall be attached.

Stamp of the authority:

Signature:

Name:

Title:

Place:

Date:

Substantial equivalencies

No equivalency has been granted.

The following substantial equivalencies, as provided under Article VI, paragraphs 3 and 4, of the Convention, except where stated above, are noted:

Substantial equivalencies:

See Annex

Stamp of the authority:

Signature:

Name:

Title:

Place:

Date:

Exemptions

No exemption has been granted.

The following exemptions granted by the competent authority as provided in Title 3 of the Convention are noted:

Exemptions:
See Annex

Stamp of the authority:

Signature:

Name:

Title:

Place:

Date:

ANNEX I: Details of Substantive Equivalencies/Exemptions