

(Translation. Only the Faroese version has legal validity)

Executive order No. 92 of 20 August 2024 on food and drinking water etc. on fishing vessels

Under the provisions in section 53 subsection 1 and 4 and section 68 in Parliamentary Act No. 4 of 15 January 1988 on Seafarers' Condition of Employment etc, as amended by Parliamentary Act No. 71 of 30 May 2011, Parliamentary Act No. 51 of 7 May 2019 and in section 8, section 10 subsection 1, section 15 subsection 1 and 2 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 and Parliamentary Act No. 61 of 17 May 2013, the following shall be laid down:

Scope

Section 1. The executive order shall apply to new fishing vessels with a length L_1 of 15 metres or more. For existing fishing vessels with a length L_1 of 15 metres or more, sections 3-8 do also apply.

Subsection 2. For existing fishing vessels pursuant to sections 9-14, shipowners may choose to apply this executive order as an alternative to the rules otherwise applicable to their vessels at the entry into force of this executive order.

Subsection 3. The provisions in sections 9-13 regarding galleys and provision stores, and section 14 on drinking water systems do not apply to new fishing vessels without deck.

Definitions

Section 2. For the purposes of this executive order, the following definitions apply:

- 1) Seafarer: Seafarer, master included, comprised by sections 1 and 47 in the Parliamentary Act on Seafarers' Condition of Employment etc.
- 2) Fishing vessel: A vessel used for commercial catching of fish, whales, seals, walrus, shellfish or other living resources of the sea, including vessels equipped as fishing vessels and capable of processing their own catch.
- 3) New fishing vessel: A fishing vessel for which:
 - a) the building or major conversion contract has been placed on or after the date of the entry into force of this executive order,
 - b) the building or major conversion contract has been placed before the date of the entry into force of this executive order, and which is delivered three years or more after that date; or
 - c) in the absence of a building contract, on the date or after the entry into force of this executive order: the keel is laid, or construction identifiable with a specific vessel

begins, or assembly has commenced comprising at least 50 tonnes or 1 per cent of the estimated mass of all structural material, whichever is less.

4) Existing fishing vessel: A fishing vessel which is not a new fishing vessel.

5) Drinking water: All types of water, in its original state or after treatment, intended for drinking, cooking or other domestic purposes, regardless of its origin and whether it is supplied through a mains supply, a tanker, bottles or other containers.

6) Length L_1 : The length measured from the foreside of the intersection of the plating with the topside of the deck at the stem to the after side of the intersection of the plating with the deck at the stern. On open vessels, the length shall be measured at the topside of the gunwale.

Food

Section 3. The food shall be composed based on the official dietary guidelines in such a way that the necessary content of proteins, fat and carbohydrates as well as of vitamins, minerals and salts has been taken into consideration.

Subsection 2. The food shall be as diversified as possible and appear appetizing.

Subsection 3. The composition of the food shall be adjusted according to the season, route and climatic conditions.

Subsection 4. Fresh food products shall be used to the extent possible. Frozen food products may in this context be comparable with fresh food products.

Subsection 5. To the extent possible, Faroese fresh food shall be prioritized in the cooking.

Subsection 6. The food shall be prepared and served in proper hygienic environments.

Section 4. The food shall consist of three main meals and one or more snack meals. The food shall be offered in such amounts that all persons on board have enough to eat.

Section 5. The composition of the food shall be adjusted in accordance with the cultural backgrounds and religious beliefs of the seafarers.

Section 6. The food and drinking water on board shall be free of charge to seafarers during their service period unless otherwise agreed upon in collective bargaining agreement.

Drinking water

Section 7. The drinking water on board shall be of a sufficient quality and accessible in sufficient quantities in relation to the size of the crew on board.

Inspections

Section 8. The master, or the person to whom the master has delegated this task, shall ensure by way of regular inspections that:

- 1) stocks of food and drinking water are sufficient,
- 2) the food and drinking water are stored in such a way as to prevent the occurrence of health hazards on board, and
- 3) galley, including furniture and equipment for preparing food, are in a condition that does not pose a health hazard on board.

Subsection 2. The results of such inspections shall be recorded and available for review at surveys.

Galley

Section 9. Galley equipment shall be provided on board and, if possible, be fitted in a separate galley.

Subsection 2. The galley must be of an adequate size, well lit, well ventilated as well as easy to keep clean. Cooking facilities and utensils must be available as well as a stainless sink and suitable worktop space for preparing food. Furthermore, it must be possible to store provisions nearby the galley in a suitable and cool place.

Subsection 3. For fishing vessels of or above 15 metres in length L_1 there shall be a separate galley.

Section 10. The materials used to construct internal bulkheads, panelling and sheeting, floors and joinings in the galley shall be suitable for the purpose and conducive to ensuring a healthy working environment.

Subsection 2. Having regard to the number of seafarers on board and the size of the ship, the galley must be provided with appropriate furniture, cupboards, tables and drawers of materials that are easy to clean.

Section 11. In the galley, drinking water must be supplied by means of a pipe system. No seawater tap may be located in the galley.

Galley equipment

Section 12. Galley equipment must be constructed and designed in such a way that galley activities take place under hygienic conditions. Provisions on health and safety protection and accident prevention must be met to ensure a decent working environment and acceptable living conditions for the seafarers on board.

Subsection 2. Waste shall be kept in closed, well-sealed containers and removed from food handling areas.

Subsection 3. Galley and food storage facilities shall be maintained in a hygienic condition.

Provision stores

Section 13. Suitable and adequate facilities must be provided for the storage of provisions. Facilities must be provided for the refrigeration and freezing of perishable foods.

Subsection 2. In vessels of or above 15 metres in length L₁, refrigerators or other facilities must be used for low temperature storage of food.

Drinking water systems and drinking water tanks

Section 14. When establishing a drinking water system, including a drinking water tank, it must be ensured that the system and tank are constructed, designed and maintained in such a way that the drinking water is at all times of appropriate quality, and does not pose a health hazard to anyone on board.

Subsection 2. Before a drinking water system is put to use, a chemical and bacteriological analysis of drinking water samples from the system must be carried out in accordance with recognised standards.

Subsection 3. When drinking water has been found to be contaminated, disinfection must be carried out of the system, drinking water tanks and drinking water pipes. Recognised Faroese, Danish or international guidelines may be applied with a view to meeting disinfection requirements.

Section 15. The master shall be obliged to ensure that the provisions of sections 3-14 in this executive order are met.

Penalties

Section 16. Unless more severe punishment is otherwise provided in other legislation, violation of the provisions in sections 3-15 shall be punished by fine if the offence is committed intentionally or through gross negligence.

Subsection 2. Companies and other legal persons shall incur criminal liability under the regulations in chapter 5 of the Faroese Penal Code.

Entry into force etc.

Section 17. This executive order comes into force the day after it has been promulgated.

Subsection 2. The construction requirements laid down in previous provisions continue to apply to existing vessels unless otherwise provided in this executive order.

Ministry of Foreign Affairs, Industry and Trade, 20 August 2024

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