

(Translation. Only the Faroese version has legal validity)

Executive order No. 93 of 20 August 2024 on food, drinking water etc. on merchant 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 Faroese merchant vessels, cf. however subsection 2-5.

Subsection 2. The provisions in sections 9-13 do not apply to new merchant vessels built before 1 January 2022. For existing vessels, shipowners may however 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. A ship is deemed to have been constructed on the date when its keel is laid or when it is at a similar stage of construction.

Subsection 4. Food and drinking water on mobile offshore units must also comply with the provisions of this executive order, taking into consideration the special conditions on board such units, however.

Subsection 5. The provisions in sections 9-13 do not apply to:

- 1) small commercial vessels with a length L_1 of less than 15 metres or with a scantling number of less than 100, and
- 2) passenger ships with a length (L) of less than 24 metres solely operating in port areas or lakes, etc.

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) Scantling number: The length L_1 multiplied by the breadth B.
- 3) Length (L): Shall be taken as 96% of the total length on a waterline at 85% of the least moulded depth measured from the keel line or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured must be parallel to the designed waterline.

- 4) 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.
- 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.

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.

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.

Subsection 2. The quality of the drinking water must be documented by means of regular analyses measured against international standards.

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. The galley must be well lit and ventilated and have a suitable size taking into consideration the size of the crew and the duration and nature of the voyage.

Subsection 2. In the galley, drinking water must be supplied by means of a pipe system. The galley must furthermore be provided with the necessary sinks with drainage as well as drainage in the floor.

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.

Galley equipment

Section 11. 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 12. Suitable and adequate facilities must be provided for the storage of provisions. Facilities must be provided for the refrigeration and freezing of perishable foods.

Drinking water systems and drinking water tanks

Section 13. 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 14. The master shall be obliged to ensure that the provisions of sections 3-14 in this executive order are met.

Penalties

Section 15. Unless more severe punishment is otherwise provided in other legislation, violation of the provisions in section 3 subsection 1, sections 4-5 and section 7 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.

Subsection 3. When determining criminal liability according to subsection 2, persons employed to carry out work on board the ship by others than the shipowner shall also be considered as being associated with the shipowner. If a document of compliance has been issued pursuant to the International Safety Management Code or a certificate has been issued according to the Maritime Labour Convention to another organisation or person, the master of the vessel as well as the seafarers shall be considered to be associated with the one to whom the document has been issued.

Entry into force etc.

Section 16. This executive order comes into force the day after it has been promulgated. At the same time executive order No. 41 of 14 May 2013 on food on board Faroese ships shall be repealed, cf. however subsection 2.

Subsection 2. The construction requirements laid down in previous provisions continue to apply to existing vessels unless otherwise provided in this executive order pursuant to section 1 subsection 2.

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

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