

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)

Issued by: The Faroese Maritime Authority

In the below, references are to a series of Faroese Acts, Executive Orders and Notices 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)

Act on seafarers' conditions of employment, 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.

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

- A person serving on a ship must hold a valid medical certificate issued in accordance with section 4 of Executive Order no. 89 of 20 August 2024 on medical examination and medical examination for seafarers.
- Medical certificates issued by foreign authority that has implemented the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) and ratified the Maritime Labour Convention (MLC), are equivalent to medical certificates issued under the abovementioned Executive Order on medical examination and medical certification for seafarers.
- Medical examinations may only be carried out by the Faroese Maritime Authority's designated maritime practitioners who have been assigned a special maritime doctor number. An overview of maritime doctors can be found on the Faroese Maritime Authority's website www.fma.fo.
- The maritime practitioner uses the digital medical examination form 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 examination form can be found on the Faroese Maritime Authority's website www.fma.fo.
- The maritime medical practitioner issues or endorses the seafarer's medical 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 medical certificate with the assigned maritime medical practitioner's number.
- The form and the content of the medical certificate is determined by the Faroese Maritime Authority. The medical certificates are issued in both Faroese and English language based on a medical examination of the seafarer.
- Seafarers aged 18 years and over must, at intervals of no more than two years, be deemed fit by medical examination for sea service, possibly with restrictions, and the medical certificate is valid for two years from the date of the examination. Persons under the age of 18 must, at intervals of no more than one year, be deemed fit for sea service, and thus the medical certificate have a validity of one year. The examining medical practitioner can restrict the medical certificate and thus the validity of the medical certificate. In the event of expiry of the medical certificate's validity period during a voyage, the certificate remains valid until the first call at a port where the examination can take place without undue delay, but for a maximum of 3 months from the date of expiry.
- When the seafarer signs on, he or she must hand over the medical certificate to the master who must keep it for as long as the seafarer serves on board.

Appeal.

- The maritime practitioner's decision that a seafarer is unfit for sea service or fit with restrictions, or unfit for lookout, and the resulting endorsement on the medical certificate can be appealed to the special Faroese Health Shipping Tribunal (Heilsunevndin fyr sjófólk). The Faroese Health Shipping Tribunal is a Faroese independent public authority, which represents, among other things, maritime medical knowledge.

3. QUALIFICATIONS OF SEAFARERS (REGULATION 1.3)

Act on the manning of ships.

Act on the maritime education programmes.

- Requirements for seafarers' qualifications are primarily regulated through the act on the manning of ships and the act in 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 the service is started on board.

4. SEAFARERS' EMPLOYMENT AGREEMENTS (REGULATION 2.1)

Act on seafarers' conditions of employment, section 3.

Executive Order on the shipowner's obligation to conclude a written contract with the seafarer about 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 start of the employment; and for ship-employed seafarers no later than at the start 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 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.
- As regards some of the information about the employment, the shipowner's information 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.

Act on seafarers' conditions of employment, 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. However, this is the case only when he or she signs on in a position covered by the ship's minimum safe manning document. The master of the ship must in connection with the signing on and signing off of seafarers fill in and sign the seafarer's 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 to meet the provision of standard A2.2, paragraph 1e.

Act on seafarer's conditions of employment, 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 detail 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, missing the ship, gross neglect by the seafarer, repeated disobedience, violent behavior 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)

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

Executive Order on Provisions on the recruiting and placing of seafarers and order on the activities of private recruitment and placement services in the Faroe Islands.

- 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.
- Recruitment and placement service shall be obliged to provide financial security for covering the seafarer's economic loss as a consequence of:
 - 1) the service's mistakes or negligence as well as
 - 2) the shipowner's or another employer's lack of compliance with the obligations according to the seafarer's employment agreement.
- Private recruitment and placement service shall ensure that seafarers are informed, prior to or in the process of engagement, and of their rights under Faroese legislation.

6. HOURS OF WORK OR REST (REGULATION 2.3)

Act on seafarers' conditions of employment, 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 period 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 -2400 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 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 but so that they 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 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 boards, 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 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)

Act on the 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 Faroese Shipping Tribunal (Sjóvinnuráðið), which will take the final administrative decision on the composition of the crew.

8. LIVING QUARTERS (REGULATION 3.1)

Executive Order from the Faroese Maritime Authority on living quarters and leisure facilities on board merchant ships.

Living quarters:

- Requirements for living quarters are regulated through the Executive Order on living quarters and leisure facilities on merchant ships. The Executive Order applies to all merchant ships registered in Faroe Island.
- However, design requirements do not apply to ships built before 1 July 2018, which must instead comply with the corresponding provisions of Chapter II-3 of the Faroese Maritime Authority's Notices B in force at the time the ship was built.
- A ship is considered to be built on the date when the keel was laid or when it was at a similar stage of construction.

Executive Order on living quarters and leisure facilities on board merchant ships fully implements the requirements of MLC, Regulation 3.1.

Exemptions and equivalences.

- Any exceptions or equivalent solutions to the Executive Order on living quarters and leisure facilities on merchant ships or previous regulations on living quarters must be documented on board so that compliance with the rules can be verified during an inspection in a way that is easy for the inspector to understand.

9. ON-BOARD LEISURE FACILITIES (REGULATION 3.1)

Executive Order from the Faroese Maritime Authority on living quarters and leisure facilities on board merchant ships.

Leisure facilities.

- Requirements for leisure facilities are regulated through the Executive Order on living quarters and leisure facilities on merchant ships. The Executive Order applies to all merchant ships registered in Faroe Island.
- According to the Executive Order there should be appropriate seafarers' recreational facilities, amenities and services, including social connectivity, as adapted to meet the special needs of seafarers who must live and work on ships, shall be provided on board for the benefit of all seafarers etc.
- However, design requirements do not apply to ships built before 1 July 2018, which must instead comply with the corresponding provisions of Chapter II-3 of the Faroese Maritime Authority's Notices B in force at the time the ship was built.
- A ship is considered to be built on the date when the keel was laid or when it was at a similar stage of construction.
- Executive Order on living quarters and leisure facilities on board merchant ships fully implements the requirements of MLC, Regulation 3.1.

Exemptions and equivalences.

Possible exceptions or equivalent solutions in relation to the Executive Order on living quarters and leisure facilities on merchant ships or previous provisions on living quarters shall be documented on board so that compliance with rules can be verified during an inspection in a way that is easy for the inspector.

10. FOOD AND CATERING (REGULATION 3.2)

Executive Order on food and drinking water, etc., on merchant ships.

- The food must be prepared in such a way that there is the necessary content of proteins, fats and carbohydrates, as well as vitamins, minerals and salts. The food should be as varied as possible and be appetizing. The food should be adapted to the climatic conditions. Fresh or frozen ingredients should be used as much as possible.
- Food must be prepared and served under proper hygienic conditions.
- The food should be divided into three main meals and one or more snacks.
- The food must be offered in such a way that everyone on board can be satisfied.
- The food must be adapted to the religious beliefs and cultural practices of seafarers.
- Drinking water must be of sufficient quality and available in sufficient quantity for the size of the crew on board.
- The food must be free of charge for the seafarer for the duration of the service period on board. However, it can be agreed between the parties that the right to free meals can be fulfilled by payment of a compensatory allowance when the seafarer does not sleep on board.

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

- A person who signs on in a position on a Faroese merchant ship which involves them handling food on board must, if they do not have a certificate of competency as a ship's cook, be able to document competencies within checking of food handling procedures, including critical food handling procedures; Checkpoints and monitoring procedures, general microbiology, including foodborne illnesses, and hygiene principles, including cleaning, personal hygiene and food handling and storage.

- The competences may be acquired either as a part of a training program or through a certificate training program of at least 18 hours duration approved by the Ministry of Education, Research and Culture, or through training on board a ship of a least seven days' duration were, inter alia, e-learning may be used. The master shall be responsible for the persons handling articles of food on board holding documentation of the competences.

Executive Order on qualification requirements for cooks without a Faroese certificate of competency as ship's cook to serve as ship's cook on merchant ships registered in the Faroese International Ship Register.

- A cook who is prescribed in a ship's crew must have a Faroese certificate as a ship's cook. No one under the age of 18 may serve as a ship's cook.
- On ships registered in the Faroese International Ship Register, a Faroese certificate as a ship's cook is not required. Persons may serve in prescribed positions as ship's cook if they hold a valid endorsement certificate issued by the Faroese Maritime Authority after a documented period of apprenticeship as a cook for 48 months, including at least 24 months on seagoing ships, or a valid endorsement certificate issued by the Faroese Maritime Authority after documentation of satisfactory completion of a cook training program with cook service on board a seagoing ship for at least 5 months after completion of the cook training program and passing an examination set by the Faroese Maritime Authority.
- Persons who, prior to the entry into force of the Act on the crew of ships, have been issued a certificate issued by the Faroese Maritime Authority confirming that the holder can serve as a prescribed ship's cook, after documentation of an apprenticeship as a cook for 48 months, including at least 24 months on seagoing ships, or a satisfactory completion of a cook training program with relevant content from a recognized school, supplemented with cook service on board a seagoing ship for at least 5 months, retain the right to work as a prescribed cook on Faroese ships.

Storage of provisions, etc.

- Executive Order on food and drinking water, etc., on merchant ships. There must be suitable and sufficient storage space for provisions and refrigeration and freezer units for perishable foodstuffs.

Drinking water.

- Executive Order on food and drinking water, etc., on merchant ships, Sections 7 and 13.
All ships must have a system in place to ensure the quality of drinking water on board. Upon request, the ship must be able to provide valid analyses of drinking water according to the above system.

Cleaning and inspections.

- Executive Order on living quarters and leisure facilities on merchant ships, Section 35, and Executive Order on food and drinking water, etc., on merchant ships, Section 7 and 13.
- Living quarters (including the galley) must be kept in a clean and tidy condition. Cleaning should be done daily. They may only be used for goods or supplies belonging to them or persons for whom the room is intended.
- Living quarters must be disinfected as appropriate after any infectious disease on board.
- Living quarters in which vermin is found must be cleaned and disinfected immediately.
- The master or their authorized representative shall ensure, by frequent inspections, that the seafarers' living quarters are clean, fit for habitation and in a well-maintained condition, and that:
 - Food and drinking water supplies are sufficient,
 - Food and drinking water are stored without risk of health hazards to persons on board; and
 - Galley spaces, including furniture and equipment for food preparation, are in a condition that does not pose health hazard to persons on board.

The results of such inspections shall be recorded and available for review.

11. HEALTH AND SAFETY AND ACCIDENT PREVENTION (REGULATION 4.3)**Act on safety at sea, sections 8 and 13.****Notice A from the Faroese Maritime Authority on occupational health on board ships.**

- 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 that must not be carried out by young persons below the age of 18.
- The regulations also dictate reasonable precautions to prevent occupational accidents, injuries and diseases on board ship, including through the provision of all necessary appropriately-sized personal protective equipment and measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals, as well as the risk of injury or disease that may arise from the use of equipment and machinery on board ships
- 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.

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

- 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 risky 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 he or she is still below the age of 18.

12. ON-BOARD MEDICAL CARE (REGULATION 4.1)

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

Executive Order on medical examination of seafarers.

Executive Order on medical treatment and medicine on board ships.

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 ship 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 here on.
- 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.
- Notice B from the Faroese Maritime Authority, technical regulation on the construction and equipment, etc. of ships, chapter II-3.

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

- 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)

Act on seafarers' conditions of employment, section 62.

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

Executive Order on seafarers' right to discretion in the event of a complaint.

- 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 order 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)

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

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 law, a seafarer is entitled to wages during the work, 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 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 law, a seafarer can require his or her 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 setoffs 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 masters 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 fyr 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 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 masters 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