

Translation: Only the Danish document has legal validity.

*Order no. 144 of 1 February 2021 issued by
the Danish Maritime Authority*

Order on complaints pursuant to ILO Convention no. 188 on board fishing vessels

In pursuance of section 64(1) of the Danish Act on Seafarers' Conditions of Employment, etc. (*lov om søfarendes ansættelsesforhold m.v.*), see Consolidated Act no. 1662 of 17 December 2018, the following provisions are laid down as authorised under section 1(1)(vi) of Order no. 261 of 23 March 2020 on the transfer of certain powers to the Danish Maritime Authority and on the right of appeal, etc.:

Section 1. This Order applies to complaints concerning matters comprised by the United Nations International Labour Organisation's Work in Fishing Convention (ILO Convention no. 188) from employees on board fishing vessels irrespective of trade area.

Subsection 2. This Order also applies to complaints from employees on board foreign fishing vessels in a Danish port.

Subsection 3. In case of doubt whether the person concerned is to be considered as employed on board, the issue must be decided by the Danish Maritime Authority following prior consultation with the workers' and employers' organisations which the issue concerns.

Section 2. The purpose of this Order is to ensure that fishers working on board fishing vessels have access to complain if the conditions on board the fishing vessel concerned are not in compliance with ILO Convention no. 188.

Section 3. Complaints may be submitted to the Danish Maritime Authority.

Subsection 2. Unless the complaint is considered to be unfounded, the Danish Maritime Authority shall make the necessary investigations in order to ensure that the conditions comply with relevant legislation.

Subsection 3. If the complaint concerns a foreign fishing vessel in a Danish port, the Danish Maritime Authority shall, in addition to the investigation referred to in subsection (2), notify the administration of the flag State of the case.

Subsection 4. Questions about occupational health, including about safety and health, in fishing vessels may also be addressed to representatives of the safety organisation for the fishing vessel concerned in accordance with the Order on safety work in fishing vessels (Occupational health in ships) in force at any time.

Section 4. This Order enters into force on 3 February 2021.

Section 5. This Order does not apply to Greenland.

Danish Maritime Authority, 1 February 2021

On behalf of the Director General
Martin Hvid John

/ Kristina Ravn