

Only the Danish version is authentic.

Chapter A IX A  
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Technical regulation on  
occupational health in ships

## CHAPTER IX

### Examinations, Medical Treatment and Ship Medicine

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## **Part A Occupational medical examinations**

### **Regulation 1 Application**

- 1 The provisions of this part shall apply to occupational medical examinations of workers employed on board ships insofar as they are not covered by the rules and regulations on occupational health issued by the National Working Environment Authority.
- 2 The purpose of these provisions is to ensure that employees at sea have the possibility of being subjected to an occupational medical examination.
- 3 Examinations according to these provisions shall be arranged and carried out to prevent and combat work-related complaints.
- 4 This part contains provisions drafted on the basis of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, Official Journal 1989, L 183, p. 1, Council Directive 90/394/EEC of 28 June 1990 on the protection of workers from the risks related to exposure to carcinogens at work, Official Journal 1990, L 196, p. 1, and Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work, Official Journal 2000, L 262, p. 21.

### **Regulation 2 General Provisions**

- 1 The Danish Maritime Authority may decide that, as a condition for the employment of workers on board ships for work involving a risk to health, an employer (hereinafter referred to as a ship owner) shall ensure that they are subjected to occupational medical examinations or that they are offered such examinations, possibly regularly and, if necessary, before they start working.
- 2 Where the work involves special risks of contracting a disease, the Danish Maritime Authority may require that the employees are vaccinated or offered vaccination as a condition for their employment.
- 3 Similar decisions can be made for groups of employees whose work involves a health risk.
- 4 If an occupational medical examination carried out according to the provisions of this part finds an anomaly that might have been caused by exposure during work, the Danish Maritime Authority may decide that others, including former employees who have been exposed to effects of the same kind during their work on board, be offered an examination.
- 5 In cases where the Danish Maritime Authority finds that the conditions on board a ship may involve a risk to the health of the employees, the Authority may instigate occupational medical examinations of the relevant employees in order to ascertain whether this is the case.
- 6 Similar occupational medical examinations may be instigated within specific fields on consultation with the Danish Maritime Occupational Health Service or the Danish Fishermen's Occupational Health Service.
- 7 It may be decided that an examination under paragraphs (5) and (6) shall be offered to former employees.

- 8 The ship owner shall provide the person carrying out the examination with all the information needed.

### **Regulation 3 Examination methods, results, etc.**

- 1 Occupational medical examination methods, etc. shall be used in accordance with the provisions of regulation 1, paragraphs (2) and (3), and shall be carried out by experts.
- 2 Occupational medical examinations shall be carried out under the responsibility of occupational medical clinics or departments, including occupational medical out-patients' clinics, or under the responsibility of other similar experts.
- 3 Occupational medical examinations of employees located outside the European Union shall be of a quality similar to that stipulated in paragraphs (1) and (2).
- 4 The person/institute carrying out the occupational medical examination shall forward the examination results to the Danish Maritime Authority no later than three months after the availability of such results and shall inform the employee examined about the result. Upon request, the employee in question shall be informed hereof in writing.
- 5 Examination results may not be passed on to the ship owner.
- 6 The Danish Maritime Authority shall inform the ship owner whether the results give rise to measures being taken.
- 7 The person/institute carrying out the occupational medical examinations shall keep the examination results concerning an employee as well as the recordings that form the basis hereof for a period of at least 40 years after the exposure during work has ended. The storage and any passing on of the material shall otherwise be in accordance with the guidelines in the field of occupational health issued by the National Working Environment Authority, which may stipulate a shorter storage period.
- 8 An employee may demand to be informed about the information mentioned in paragraph 7 at any time.

### **Regulation 4 Payment, etc.**

- 1 Where occupational medical examinations of employees on board ships are carried out according to the provisions of this part, the ship owner shall pay the expenses in connection herewith. This shall also apply to expenses for examinations of employees previously employed unless such examinations have been instigated under regulation 2, paragraph (7).
- 2 The ship owner shall ensure that the examinations can be carried out without the employees losing their pay and that the examinations are, insofar as possible, carried out during working hours.
- 3 If an examination includes employees previously employed on board a ship, and a present ship owner incurs costs as a consequence of paragraph (2), compensation shall be paid for this by the one paying the expenses for the occupational medical examination.