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Chapter A XI B
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Technical regulation on
occupational health in ships

CHAPTER XI

Safety work

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CHAPTER XI

Safety work

Part B Safety work on board fishing vessels

Regulation 1 Application

- 1 The provisions of this part shall apply to all kinds of work on board fishing vessels, which shall mean a ship used for catching fish, etc. for commercial purposes, and whose certificate of nationality is provided with a port number.
- 2 In fishing vessels, everyone engaged in fishing shall be affiliated with a port safety committee.
- 3 In fishing vessels where eight or more persons are employed, including the master, the same rules shall apply to the safety organisation as those stipulated in chapter XI, part A, on safety work on board merchant ships and large fishing vessels.

Regulation 2 Port safety committees

- 1 Port safety committees shall be established within an appropriate number of areas after negotiations between the organisations of the fishing industry and the Danish Maritime Authority. The number of port safety committees may be revised every three years, according to need.
- 2 Each port safety committee shall consist of a similar number of joint owners of fishing vessels and ship owners. The number of joint owners of fishing vessels, on the one hand, and ship owners, on the other, shall be at least two and not more than five. The number of representatives shall be determined following negotiations between the organisations of the fishing industry.
- 3 The port safety committee shall elect its chairman among its members. Every second year, the chairmanship shall alternate between a joint owner of a fishing vessel and a representative of a ship owner.
- 4 An occupational health consultant on the part of the joint owners of fishing vessels and an occupational health consultant on the part of the ship owners may be affiliated with the port safety committee.
- 5 The joint owners of fishing vessels shall elect members of the port safety committee for the area in question. The election shall be valid for two years or until an elected joint owner stops working within the industry. Re-election may take place.
- 6 The ship owners shall elect members of the port state committee for the area in question. The election shall be valid for two years or until an elected representative stops working within the industry. Re-election may take place.
- 7 The port safety committee shall inform the Danish Maritime Authority of the names of the members of the committee not later than four weeks after the election.
- 8 Elections shall take place according to a special procedure agreed upon by the organisations of the fishing industry and approved by the Danish Maritime Authority.

- 9 Disputes about the guidelines for the election and eligibility, including the issue of what rules apply and issues of breach of or interpretation of the rules, shall be settled by industrial procedure according to the provisions of the Act on the industrial tribunal.

Regulation 3 Tasks

- 1 The port safety committee shall plan, manage and coordinate the health and safety work in relation to fishermen. The committee shall record the fishermen's occupational health problems and offer advice for solutions to occupational health issues.
- 2 The port safety committee shall ensure that the reasons for accidents, poisonings and work-related sufferings as well as signs hereof are examined and arrange for measures to be taken to prevent recurrence. Once a year, the committee shall draw up an aggregate overview of the work performed by the committee. This overview shall be forwarded to the Danish Maritime Authority upon request.
- 3 The port safety committee shall keep itself informed of the provisions on health and safety that have been laid down to protect the fishermen. The committee shall lay down the principles of the necessary training and instruction and shall ensure that compliance with the safety provisions is checked on a continuous basis.

Regulation 4 Meetings

- 1 The port safety committee shall hold an ordinary meeting at least once every quarter. Furthermore, the committee shall hold a meeting when serious accidents, serious poisoning or other serious health damages occur as well as when any other need for a meeting arises. An extraordinary meeting shall be held when the chairman deems it necessary or if at least two members of the committee request so.
- 2 Ordinary meetings of the port safety committee shall be convened in due time.
- 3 Minutes of port safety committee meetings shall be prepared. Minutes from meetings in the port safety committee shall be forwarded to all the relevant organisations in the area as well as to the Danish Maritime Authority upon request.

Regulation 5 Ship owners' obligations

- 1 The ship owners shall ensure that the members of all port safety committees have the time necessary available to perform their duties in relation to safety work.
- 2 The ship owners shall give all the members of the port safety committees the possibility of acquiring the necessary knowledge about or training in issues of health and safety.
- 3 The ship owners shall pay the expenses incurred by the members of the port safety committees in connection with the performance of their duties and reimburse lost wages, including expenses and lost wages in connection with the necessary participation in health and safety courses, etc.
- 4 Disputes about the issues mentioned in paragraph (3), including the issue of what rules apply and issues of breach or interpretation of the rules shall be settled by industrial procedure according to the provisions of the Act on the industrial tribunal.

- 5 The ship owners shall be obliged to make the members of the port safety committee for the relevant area acquainted with requirements that the Danish Maritime Authority make in writing on a fishing vessel registered in the area in addition to what is covered by the periodic surveys.

Regulation 6 Education and training ("Section 8 course")

- 1 After having requested and received the opinion of the Ships Inspection Council, the Danish Maritime Authority may lay down rules or guidelines for the occupational health training that the members of the port safety committees shall receive, including form and content. In this connection, it may determine what requirements shall be made on the course instructor.
- 2 The training of the members of the port safety committees shall have a duration of 32 hours.
- 3 No later than four weeks after the setting up of a port safety committee or in connection with re-elections for the committee, the chairman of the relevant port safety committee shall enrol the members to an occupational health course approved by the Danish Maritime Authority.
- 4 Members who have already completed the prescribed occupational health training shall be exempted from paragraph (3).
- 5 Members of port safety committees shall have a duty to participate in the training required.