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Technical regulation on
occupational health in ships

CHAPTER XI

Safety work

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CHAPTER XI

Safety work

Part A Safety work on board merchant ships and large fishing vessels

Regulation 1 Application and definitions

- 1 In merchant ships for which the safe manning, including the master, numbers four or more persons, a safety organisation shall be established in accordance with the provisions of regulation 2 or 3.
- 2 In fishing vessels not covered by the regulations on safety work on board fishing vessels, i.e. fishing vessels on which eight or more persons, including the master, are employed, a safety organisation shall be established consisting of one safety group in accordance with the provisions on cargo ships laid down in regulation 3.
- 3 The provisions of this part shall apply to all persons employed by the shipowner or by another employer (hereinafter referred to as the shipowner) to perform work on board.
- 4 The ratings shall mean all the employees mentioned in subparagraph (3) who are not officers or other similar supervisors.
- 5 A passenger ship shall mean a ship carrying more than 12 passengers.
- 6 A cargo ship shall mean a merchant ship that is not a passenger ship.
- 7 This part contains provisions drafted on the basis of Council Directive 89/391/EEC, Official Journal 1989 L 183, p. 1.

Regulation 2 Passenger ships

Safety representative

- 1 In passenger ships for which the minimum safe manning, including the master, numbers four or more persons, but fewer than 15 persons, the ratings shall elect a safety representative from among themselves.
- 2 In passenger ships for which the minimum safe manning, including the master, numbers 15 or more persons, the ratings shall elect a safety representative from among themselves for each field of work. Where more than 50 persons work within a field of work, two safety representatives shall be elected. Where the ratings are alternating, one safety representative may be elected.
- 3 On board the passenger ships mentioned in subparagraph (2), it is presupposed that, for ships with a duration of voyage
 - .1 of less than 4 hours, at least one safety representative is always on board under normal operating conditions in the daytime as well as under normal operating conditions in connection with major maintenance work and other comprehensive work.

.2 of 4 hours or more, at least one safety representative is always on board within each field of work (deck, machinery and catering).

4 The election of a safety representative shall be for a term of 2 years or until the work function of the safety representative is terminated. Re-election may take place.

5 The master shall be informed of the election of a safety representative no later than 8 days after the election.

Safety group

6 In the passenger ships mentioned in subparagraph (1), the master shall appoint a supervisor, who shall constitute the ship's safety group in association with the safety representative.

7 In the passenger ships mentioned in subparagraph (2), for each field of work that has elected its own safety representative, the master shall appoint a supervisor from the fields of work in question. In association with the safety representative, this supervisor shall constitute the safety group of the field of work.

8 Where two safety representatives have been elected for a field of work, the master shall appoint two supervisors, and two safety groups shall be established with a safety representative and a supervisor in each.

9 On board the passenger ships mentioned in subparagraph (2), it is presupposed that, for ships with a duration of voyage

.1 of less than 4 hours, at least one supervisor is always on board under normal operating conditions in the daytime as well as in connection with major maintenance work and other comprehensive work.

.2 of 4 hours or more, at least one supervisor is always on board within each field of work (deck, engine and catering).

Safety committee

10 In association with the master, the safety group or safety groups shall constitute a safety committee on each individual ship. The master shall be chairman of the committee.

11 The safety committee on board the passenger ships mentioned in subparagraph (1) may be common for more ships on the same service if the ships are of the same type and are operated by alternating complements.

12 In passenger ships with more than three safety groups, a safety committee shall, however, be established in such a way that three members of the committee shall be elected by the safety representatives from among themselves and three members of the committee shall be elected by the supervisors from among themselves. A master or a responsible representative of the shipowner shall chair the committee. However, at least one master shall be a member of the committee.

13 The safety committee may co-opt other persons subject to agreement thereon.

Regulation 3 Cargo ships

Safety representative

- 1 In cargo ships for which the minimum safe manning, including the master, numbers four or more persons, but fewer than 15 persons, the ratings shall elect a safety representative from among themselves.
- 2 In cargo ships for which the minimum safe manning, including the master, numbers 15 or more persons, the ratings shall elect two safety representatives from among themselves from the fields of work on board in which most persons are employed.
- 3 The election of a safety representative shall remain in force until the termination of the safety representative's service on board, however, not for more than two years. Re-election may take place.
- 4 The master shall be informed of the election of a safety representative no later than eight days after the election.

Safety group and committee

- 5 From among the supervisors on board, the master shall appoint a supervisor who shall constitute the ship's safety group in association with the safety representative. In ships with two safety groups, cf. subparagraph (1), the groups shall be composed of a safety representative and a supervisor for each field of work.
- 6 The safety group, as mentioned in subparagraph (1), and the safety groups, as mentioned in subparagraph (2), shall form a safety committee in association with the master. The master shall chair the committee.
- 7 The safety committee may co-opt other persons subject to agreement thereon.

Regulation 4 Common provisions

Obligations of the shipowner and the master

- 1 The shipowner shall ensure that a safety organisation is established on board.
- 2 The shipowner shall ensure that the necessary funds are made available for health and safety work, and shall likewise pay the expenses related to the assignments of the shipowner's* own safety organisation and reimburse expenses and lost wages in connection with their necessary participation in occupational health courses according to subparagraphs (8)-(11).
- 3 The master shall ensure that all employees on board as well as the shipowner are informed of the membership of the safety groups and safety committees.
- 4 The master shall ensure that the members of the safety organisation meet the training requirements set out in subparagraphs (8)-(11).
- 5 The shipowner and the master shall ensure that the members of the safety committee
 - .1 receive all necessary information of importance to health and safety on board,
 - .2 are given the possibility of making proposals concerning health and safety,

- .3 have reasonable time available for handling their duties as regards safety activities,
- .4 are given opportunities during their working hours to acquire the necessary knowledge about or training in health and safety issues, and
- .5 are consulted about the planning and introduction of new technology that may have consequences for health and safety in connection with the choice of equipment, personal protective equipment, technical aids, etc.

6 The shipowner and the master shall inform the safety committee of such notices as the Danish Maritime Authority may issue in writing about the health and safety conditions of the employees.

7 In ships for which no safety organisation shall be established under this part, the master shall ensure through instruction, training and supervision that the work on board is performed in a way that is in every respect reasonable from a health and safety perspective.

Training, "Section 16 course"

8 The members of a safety group shall have completed an occupational health course approved by the Danish Maritime Authority.

9 In ships for which the minimum safe manning, including the master, numbers four to six persons, the shipowner shall ensure that for each voyage at least one person on board has completed an occupational health course approved by the Danish Maritime Authority.

10 In ships for which the minimum safe manning, including the master, numbers seven or more persons, the shipowner shall, no later than four weeks after the election and appointment of members of the safety organisation, register these members for an occupational health course approved by the Danish Maritime Authority. However, this provision shall not apply where the members in question have already completed the prescribed course or where such a person from the same field of work could have been elected. Members of a safety group of ships who have not completed an occupational health course approved by the Danish Maritime Authority shall immediately after their election or appointment receive occupational health training on board approved by the Danish Maritime Authority.

Tasks, obligations and rights of the safety organisation

11 Members of the safety organisation shall endeavour to solve the health and safety problems on board.

12 The safety group shall seek to enhance good cooperation on board concerning health and safety issues. The safety group shall cooperate with the person in charge of the work in the field of work concerned to resolve issues related to the health and safety of the employees at work.

13 The safety group shall check that the working conditions as well as the work are organised and performed in a way that is in every respect reasonable from a health and safety perspective. The duties of the group shall include checking that substances and materials are used only in working processes and by methods that provide effective protection of the employees against accidents and diseases. The group shall, moreover, check that effective training and instruction is provided and that machinery and other

- technical aids, etc. are designed and used in a way that is in every respect reasonable from a health and safety perspective.
- 14 The safety group shall encourage the individual employee to behave in ways that promote his and others' health and safety, such as provide information about the provisions laid down to promote health and safety on board.
- 15 Within its field of work, the safety group shall take part in the planning of health and safety work, including risk assessments of health and safety conditions.
- 16 The safety group shall
- .1 serve as a liaison between the employees and the safety committee,
 - .2 keep the committee informed of health and safety problems, and
 - .3 submit any proposals for improvements to the committee.
- 17 The safety group shall ensure that health and safety risks are prevented. Where a risk cannot be averted immediately, the safety group shall ensure that the situation is reported to the master.
- 18 Where time is too short to inform the master, and the safety group estimates that there is a considerable, imminent risk to the health and safety of the complement which the group is unable to avert on its own, the group shall be entitled to suspend the work or working process to the extent required to avert the danger. The safety group shall forthwith report the suspension to the master and explain why it was necessary.
- 19 Where one member of the safety group is not on board, the member being on board is entitled to act on behalf of the group in the cases set out in subparagraph (18).
- 20 The safety committee shall plan, manage and coordinate the health and safety work and all measures that may become of importance to the health and safety of the employees on board. The committee shall register health and safety problems and provide advice on resolving health and safety issues.
- 21 The safety committee shall be consulted before any contact with the relevant occupational health service for assistance to the ship in resolving health and safety issues.
- 22 In cooperation with the relevant safety group, the safety committee shall ensure that the causes of accidents, poisoning and health damage and imminent risks of such incidents are investigated, and the committee shall arrange for implementation of measures to prevent any recurrence.
- 23 The safety committee and the relevant safety group shall have access to the mandatory lists and descriptions of events contained in reports of occupational accidents on board the ship.
- 24 The safety committee shall
- .1 keep up-to-date on the health and safety provisions laid down to protect the employees on board,
 - .2 contribute to defining principles for adequate and necessary training and instruction adjusted to the working conditions on board the ship,
 - .3 ensure that continuous inspection of the observance of safety directions is carried out, and

.4 cooperate with the relevant occupational health service.

- 25 The safety committee shall contribute to ensuring coordination of the health and safety work with other employers who perform work on board.
- 26 Members of the safety organisation shall endeavour to perform their duties in such a way that it causes the least possible disruption of their own or others' normal work on board.
- 27 Members of the safety organisation shall enjoy protection against notice of termination of their employment, dismissal or other deterioration of their conditions in the same way as shop stewards in relevant or similar employment areas.
- 28 The rules governing the election of shop stewards in the relevant area or a similar area covered by collective agreements shall normally apply with respect to eligibility and the validity of elections.

Meetings, etc.

- 29 The safety committee shall hold ordinary meetings regularly, however, at least once every quarter. On cargo ships with a safety crew of four to six members of the complement, including the master, inspection forms, cf. annex 1 may be used instead of holding meetings. An inspection form shall be completed each quarter. The safety committee shall, moreover, be convened for meetings when serious accidents, serious poisoning or other health damage have occurred or after serious incidents that might have caused accidents or health damage.
- 30 Meetings shall be convened by the chairman. Where at least two members so request, the chairman shall convene a meeting.
- 31 At meetings of the safety committee, the ship's survey book shall be available and accessible to the members.
- 32 Minutes of the meetings shall be prepared. On cargo ships with a safety crew of four to six members of the complement, including the master, inspection forms, cf. annex 1 may be used instead of minutes of meetings. The minutes shall be distributed to the members of the committee, be made available to the employees on board, and be sent to the shipowner. The contents of the minutes shall, upon request, be brought to the notice of the Danish Maritime Authority.
- 33 Safety committee meetings may be attended by staff from the Danish Maritime Authority in addition to the actual members of the committee.
- 34 If there is agreement thereon, the safety committee may allow other persons to attend committee meetings.

ANNEX 1

Inspection form 1 – Work functions

(May be completed by the master alone, but preferably by all members of the complement individually. Replies should then be discussed by the entire complement)

Name of ship: M/S _____

What do you think are the three most dangerous work functions on board?

Choice 1: _____

Choice 2: _____

Choice 3: _____

Discuss each choice on the basis of the following questions:

- Can you remove the cause of danger from the ship (e.g. closed systems, new machinery etc.)?
- Can you isolate the danger through screening off or using remote control?
- Can you avoid contact with the danger (better planning, procedures, signs)?
- Do you use the necessary personal protective equipment?
- If so, what type?

Make notes here:

Choice 1: _____

Choice 2: _____

Choice 3: _____

Form completed, dd/mm/yy _____ Name _____

Inspection form 2 – Chemicals

(May be completed by the master alone, but preferably by all members of the complement individually. Replies should then be discussed by the entire complement)

Name of ship: M/S _____

What do you think are the three most dangerous chemical products used on board?

Product 1: _____

Product 2: _____

Product 3: _____

Discuss the three products using the following questions:

- Are the products necessary or can use be limited?
- Can the products be replaced by less dangerous products (look at safety data sheets; code nos., danger symbols, R sentences)?
- Can you change the method of work or find technical or equipment solutions so that contact/exposure to the substance is minimised (e.g. ventilation)?
- Do you use the necessary personal protective equipment when working with the three products? If so what type?

Make notes here:

Product 1: _____

Product 2: _____

Product 3: _____

Form completed, dd/mm/yy _____ Name _____

Inspection form 3 – Sickness

(May be completed by the master alone, but preferably by all members of the complement individually. Replies should then be discussed by the entire complement)

Name of ship: M/S _____

Name two situations where the risk of sickness or long-term injury are greatest.

This could be, for example:

- Noise and vibration in accommodation, on deck, and in machines.
- Painting (exposure to organic solvents, risk of direct contact with substances and lack of ventilation).
- Physical work such as heavy lifting and awkward work positions.
- Mental (psychological) working environment, stress

Choice 1: _____

Choice 2: _____

Discuss the situations using the following questions:

- Which problems can you solve immediately?
- What can you do in the longer term?
- Are there any technical precautions you could take?

Make notes here:

Choice 1: _____

Choice 2: _____

Form completed, dd/mm/yy _____ Name _____

Inspection form 4 – Safety at sea

(May be completed by the master alone, but preferably by all members of the complement individually. Replies should then be discussed by the entire complement)

Name of ship: M/S _____

What do you think poses the greatest risk for this ship having an accident at sea?

Reply: _____

Discuss your reply using the following points:

- Maintenance of ship and equipment (good/bad)?
- Internal communication (language/culture)
- Hours of work and rest periods
- Condition and maintenance of rescue equipment

Make notes here:

Reply: _____

Form completed, dd/mm/yy _____ Name _____