REGULATION CONCERNING AMENDMENTS TO THE REGULATIONS ON GUARANTEES FOR SOCIAL SECURITY ENTITLEMENTS FOR EMPLOYEES ON NORWEGIAN SHIPS

Laid down by the Norwegian Maritime Authority on 19 December 2017 under the Act of 21 June 2013 No. 102 relating to employment protection etc. for employees on board ships (Ship Labour Act) section 4-7, cf. Regulations of 3 July 2013 No. 974.

I

Regulations of 18 February 2005 No. 145 on guarantees for social security entitlements for employees on Norwegian ships are amended as follows:

Section 4 new second paragraph should read:

The employee may bring direct claims against the guarantor for compensation under the guarantee. The compensation amount shall be paid without unnecessary delay. Preliminary payments shall be made when it is difficult to evaluate the long-term disability of the employee.

Section 7 new second and third paragraphs should read:

To document the guarantee under these Regulations, a certificate or other documentary evidence issued by the guarantor shall be carried on board. The documentation shall be readily accessible to the employees. The documentation shall be in English or be accompanied by a translation into English.

The documentation shall contain the following information:

a) name of the ship
b) port of registry of the ship
c) call sign of the ship
d) IMO number of the ship
e) name and address of the guarantor(s)
f) contact information of the person or entity at the guarantor responsible for processing claims from the employees
g) name of the company
h) period of validity of the guarantee
i) an attestation from the guarantor that the guarantee meets the requirements of the Maritime Labour Convention (ILO Convention No. 186) Standard A4.2.1.

Section 8 is renumbered as section 9

New section 8 should read:

Section 8 Termination of guarantee

The guarantee shall not cease before the end of the validity period as set out in the guarantee, unless the guarantor has provided the Norwegian Maritime Authority (NMA) with a written notification that the guarantee will cease to be valid. The guarantee shall not cease until 30 days after the NMA has received a written notification.

The company shall provide the ship employees with an advance written notification before the guarantee ceases to be valid.

II

This Regulation enters into force immediately.