

Translation: Only the Danish document has legal validity.

*Executive Order no. 488 of 16/05/2025
issued by the Danish Maritime Authority*

Executive Order on private recruitment and placement services for fishing activities

Pursuant to sections 8 b(2), 65(3) and 70(1) of the Act on Seafarers' Employment Conditions, cf. Consolidated Act no. 335 of 9 April 2024, and section 20 a(3), first sentence, and section 20 b of the Act on Safety at Sea, cf. Consolidation Act no. 221 of 11 February 2022, as amended by Act no. 1669 of 30 December 2024, shall be laid down by authorisation pursuant to section 1(1)(3) of the Executive Order. 1, no. 3, in Executive Order no. 261 of 23 March 2020 on the delegation of certain powers to the Danish Maritime Authority and on the right of appeal, etc:

Chapter 1

Definitions and scope

Section 1. The Executive Order applies to the activities of private recruitment and placement services in Denmark whose primary purpose is the recruitment or arrangement of work for fishermen on fishing vessels or which recruit or arrange work for a significant number of fishermen on fishing vessels.

Subsection 2. A fishing vessel means a vessel used to catch fish, whales, seals, walruses or other living resources from the sea, and whose nationality certificate bears a port identification number.

Section 2. For the purposes of this Order:

- 1) Private recruitment and placement services for fishermen: Any private person or company, institution, agency or other organisation, not established under public auspices, engaged in the recruitment of fishermen or the placement of fishermen for work on fishing vessels.
- 2) Recruitment of fishermen: Entering into an employment contract with a fisherman as an agent on behalf of another.
- 3) Fishermen placement: Establishing contact between an actual fisherman without a job and an employer who has a vacancy on a fishing vessel. Information about job vacancies for fishermen on the websites of shipping companies or professional organisations that have the character of ordinary job advertisements is not considered a placement service.
- 4) Fishermen: Any person employed, engaged or working on board a fishing vessel who does not work exclusively on board while the ship is in port.

Chapter 2

Certification and obligations of the recruitment and placement services

Section 3. A recruitment and placement service for fishermen must have a valid certificate to operate.

Subsection 2. The certificate is issued by the Danish Maritime Authority or any person authorised by the Authority. It is valid for 5 years, unless a shorter validity period is set by the Danish Maritime Authority.

Subsection 3. It is a condition for obtaining a certificate under Subsection 1 that the recruitment and placement service can demonstrate to the Danish Maritime Authority that the service has established procedures to ensure compliance with the obligations incumbent on recruitment and placement services under Sections 4-5 and Sections 8-9, including procedures to ensure the availability of the necessary

knowledge to fulfil these obligations.

Subsection 4. The certificate lapses in the event of the bankruptcy of the recruitment and placement service. The certificate may be revoked in the event of serious or repeated violations of the regulations outlined in sections 4-5 and 8-9.

Section 4. A recruitment and placement service must ensure that the fisherman who is recruited or placed on a fishing vessel,

- 1) is qualified and has the documents necessary for the work they will be carrying out on board,
- 2) have the required documentation of medical fitness for the work to be carried out on board,
- 3) enter into a written employment agreement that complies with the applicable laws and regulations of the country whose flag the ship flies,
- 4) be informed of their rights and obligations under the employment agreement, including the employer's employment policy,
- 5) have the opportunity to review the employment agreement at the latest upon signing, and
- 6) receive a signed copy of the employment agreement and of any collective agreements that are part of the employment agreement.

Section 5. The recruitment and placement service shall not directly or indirectly, in whole or in part, require payment from the fishermen, cf. Subsection 2.

Subsection 2. does not apply to expenses for fulfilment of the flag state's requirements for certificates of competency, other equivalent certificates or a seafarer's logbook, as well as to expenses for passports or other personal travel documents with the exception of expenses for necessary visas.

Chapter 3

Certification and inspection by the Danish Maritime Authority

Section 6. The Danish Maritime Authority issues certificates for recruitment and placement services in Denmark, cf. Section 3(2).

Subsection 2. The Danish Maritime Authority may approve recognised organisations, other companies or individuals to issue certificates for private recruitment and placement services in Denmark.

Section 7. The Danish Maritime Authority supervises private recruitment and placement services in Denmark that are certified by Authority.

Chapter 4

Special provisions

Section 8. A recruitment and placement service shall not use any means or maintain any lists likely to prevent fishermen from obtaining employment on board.

Section 9. The Danish Maritime Authority charges a fee of DKK 21,058 for certification under this Executive Order. The certificate also covers any inspections during the certificate's validity period.

Chapter 5

Penalties

Section 10. Violation of sections 3(1), 4, 5(1) and 8 is punishable by a fine.

Subsection 2. Criminal liability may be imposed on companies, etc., (legal persons) in accordance with the rules in Chapter 5 of the Danish Criminal Code.

Chapter 6

Entry into force

Section 11. The Executive Order entered into force on 1 July 2025.

Subsection 2. Executive Order no. 1114 of 11 November 2019 on private recruitment and placement services for fishing activities is repealed.

The Danish Maritime Authority, 16 May 2025

Martin John

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Official notes

EU Notes

¹⁾ The Executive Order contains provisions that implement parts of Council Directive 2017/159/EU of 19 December 2016 on the implementation of the agreement regarding the implementation of the International Labor Organization's 2007 Convention on working conditions in the fishing sector, entered into on 21 May 2012 by the General Confederation of Agricultural Cooperatives in the EU (Cogeca), the European Transport Workers' Federation (ETF) and the Association of National Organizations of Fishing Enterprises in the European Union (Europêche), the Official Journal of the European Union 2017, no. L 25, page 12.