

Consolidated act on the Danish Government Seamen's Service

Act no. 253 of 25 April 1990 is hereby promulgated with the amendments following from act no. 212 of 28 March 2001, act no. 304 of 30 April 2003, section 4 of act no. 622 of 14 June 2011 and section 66 of act no. 1231 of 18 December 2012.

Section 1. A private independent institution shall be established, the Danish Government Seamen's Service.

Subsection 2. The task of the Danish Government Seamen's Service is to carry out and further activities related to seafarers' welfare at sea and during stays in ports both in Denmark and abroad, including practical assistance for persons left behind on ships, cf. section 10a(1) of the seamen's act (*sømandsloven*).¹

Subsection 3. In addition, the Danish Government Seamen's Service may carry out other activities that are compatible with the tasks mentioned in subsection 2.

Section 2. The Danish Government Seamen's Service shall be managed by a council and a management. The seafarers' and shipowners' organisations shall be represented on the council.

Section 3. More detailed regulations on the Danish Government Seamen's Service and its activities shall be laid down by the council in by-laws to be approved by the Minister of Business and Growth.

Section 4. The council shall employ the management and shall be responsible that the activities of the Service are carried out in an appropriate manner in accordance with the act and the by-laws.

Subsection 2. The management shall carry out the daily management in accordance with the directions of the council.

Subsection 3. When performing the tasks, cf. section 1(2), the Danish Government Seamen's Service shall dispose independently of the means provided pursuant to section 5. This is also the case in connection with other means allocated to the Service.

Subsection 4. The management of the Danish Government Seamen's Service shall, upon request, be obliged to provide the Minister of Business and Growth with any information concerning the conditions of the Danish Government Seamen's Service.

Subsection 5. The Danish Government Seamen's Service shall present its accounts according to the Danish financial statements act (*årsregnskabsloven*).

Section 5. The means for the welfare work shall be brought about through a fee to be paid for each seafarer engaged on a Danish merchant ship, including masters, who are insured against the consequences of accidents pursuant to the act on industrial injury insurance (*lov om arbejds-skadeforsikring*). The fee shall rest with the shipowner and the seafarer with each 70 øre a day. For seafarers on ships registered on the Danish International Register of Shipping, the shipowner shall, however, pay a fee of 200 øre a day.

Subsection 2. The council shall determine the payment for special services.

¹ Today, the title of the seamen's act is the act on seafarers' conditions of employment, etc. (*lov om søfarendes ansættelsesforhold m.v.*).

Section 6. The Minister of Business and Growth shall lay down more detailed regulations on the collection of the fee and may, in this connection, order the shipowner to retain the amount resting with the seafarer from the wages or from other similar payments. There shall be a right to levy distraint on amounts resting with the shipowner and the seafarer.

Section 7. The Minister of Business and Growth may, following negotiations with the organisations concerned for the owners of fishing vessels and for fishermen, and after having obtained a statement from the Danish Government Seamen's Service, determine to what extent seafarers on fishing vessels shall be covered by this act.

Section 8. If the Minister of Business and Growth transfers his powers under the act to the Danish Maritime Authority, the Minister may lay down regulations on the access to file complaints, including that complaints cannot be brought before a higher administrative authority.

Section 8a. The Minister of Business and Growth may lay down provisions to the effect that written communication to and from the authorities about conditions covered by this act or regulations issued pursuant to this act shall be made digitally.

Subsection 2. The Minister of Business and Growth may lay down more detailed regulations on digital communication, including on the use of specific computer systems, special digital formats and digital signatures or the like.

Subsection 3. A digital message shall be considered to have reached the recipient when it is available to the addressee of the message.

Section 8b. The Minister of Business and Growth may lay down provisions to the effect that the authorities may issue decisions and other documents pursuant to this act or pursuant to regulations issued pursuant to this act without a signature, with a mechanically or similarly reproduced signature or using a technique ensuring unambiguous identification of the one who has issued the decision or the document. Such decisions and documents shall be comparable with decisions and documents with a personal signature.

Subsection 2. The Minister of Business and Growth may lay down regulations to the effect that decisions and other documents that have exclusively been made or issued on the basis of electronic data processing shall be issued solely giving the relevant authority as the sender.

Section 9. The date of the entry into force of the act shall be determined by the Minister of Business and Growth.²

Subsection 2. At the same time, the act on welfare activities for seafarers (*lov om velfærdsforanstaltninger for søfarende*), cf. consolidated act no. 576 of 29 September 1988, shall be repealed.

Section 10. The act shall not apply to the Faroe Islands and to Greenland, but may be put into force for Greenland by royal decree with the deviations deriving from the special Greenland conditions.

² The act was put in force on 1 January 1991, cf. order no. 761 of 15 November 1990.

Act no. 212 of 28 March 2001 contains the following entry into force provisions:

Section 2

The act enters into force on 1 May 2001.

Section 3

The act shall not apply to the Faroe Islands and to Greenland, but may be put into force for Greenland by royal decree with the amendments deriving from the special Greenland conditions.

Act no. 304 of 30 April 2003 contains the following entry into force provisions:

Section 2

The act enters into force on 1 July 2003.

Section 3

The act shall not apply to the Faroe Islands and to Greenland, but may be put into force in full or partly for Greenland by royal decree with the amendments deriving from the special Greenland conditions.

Act no. 622 of 14 June 2011 contains the following entry into force provisions:

Section 6

Subsection 1. The act enters into force on 1 July 2011, cf. however subsection 2.

Subsection 2. (Left out).³

³ Subsection 2 concerns the taxation of seafarers act (*sømandsbeskatningsloven*).

Section 7

(Left out).⁴

Act no. 1231 of 18 December 2012 contains the following entry into force provisions:

Section 69

Subsection 1. The act enters into force on 1 January 2013.

Subsection 2. Administrative regulations issued pursuant to the previous provisions shall remain in force until they are amended or repealed.

Section 70

Subsection 1. Sections 1-39, 41-50 and 53-68 shall not apply to the Faroe Islands and Greenland, cf. however subsections 3 and 4.

Subsection 2. (Left out).⁵

Subsection 3. (Left out).⁶

Subsection 4. Sections 1-10, 17, 18, 23, 29, 35-39, 41-44, 49, 50, 54, 58-63, 65 and 66 may be put into force in full or partly for Greenland with the amendments deriving from the special Greenland conditions.

Subsection 7. (Left out).⁷

Danish Maritime Authority
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⁴ Section 7 concerns the act on the manning of ships (*lov om skibes besætning*), the act on seafarers' conditions of employment, etc. (*lov om søfarendes ansættelsesforhold m.v.*) and the act on safety at sea (*lov om sikkerhed til søs*).

⁵ Subsection 2 concerns the act on mortgage loans and property bonds m.v. (*lov om realkreditlån og realkreditobligationer m.v.*)

⁶ Subsection 3 concerns various other acts.

⁷ Subsection 5 concerns the act on financial stability (*lov om finansiel stabilitet*) and the act on Government injection of capital in credit institutions (*lov om statsligt kapitalindskud i kreditinstitutter*).