

Translation. Only the Danish document has legal validity.

*Order no. 1009 of 16 August 2013
issued by the Danish Maritime Authority*

Order on compensation for fishermen for belongings lost in connection with ship's loss or foundering

In pursuance of section 61 and section 75 of the act on seafarers' conditions of employment, etc. (*lov om søfarendes ansættelsesforhold m.v.*), cf. consolidated act no. 742 of 18 July 2005, as amended by act no. 493 of 12 May 2010, the following provisions are laid down:

Section 1. This order shall apply to employees on board fishing vessels, cf. section 1(1) and section 49 of the act on seafarers' conditions of employment, etc. (*lov om søfarendes ansættelsesforhold m.v.*).

Section 2. The shipowner shall pay compensation to the master and crew of the fishing vessel for the loss of or damage to their belongings on board as a consequence of a fishing vessel's foundering, piracy, fire or other loss affecting the vessel.

Subsection 2. If the employee is deceased when the compensation is paid, the amount shall be paid to the estate or the heirs.

Section 3. If no agreement has been concluded on payment of a higher amount, compensation shall be paid in the form of the following maximum amounts:

- 1) Masters: DKK 44,700.
- 2) Chief engineers and chief officers: DKK 37,000.
- 3) Other officers, engineer officers, stewards and radio officers: DKK 28,700.
- 4) Other crewmembers: DKK 24,700.

Subsection 2. The compensation amounts mentioned in subsection 1, which correspond to a net price index as of January 2001 = 100, shall be adjusted in accordance with the most recently published net price index at the time of the loss.

Subsection 3. Each year the Danish Maritime Authority shall publish on its Danish webpage www.soefartsstyrelsen.dk the adjusted compensation amounts applicable per 1 January.

Subsection 4. The amounts mentioned in subsection 1 shall be reduced by 50 per cent if the person concerned is not accommodated on board.

Section 4. If, in connection with a ship's loss or condemnation, a shipowner has provided an employee with the necessary clothing pursuant to section 19(2) of the act on seafarers' conditions of employment, etc. (*lov om søfarendes ansættelsesforhold m.v.*), a deduction shall be made for these expenses in the compensation owing to the employee in accordance with the above provisions, cf. section 61(3) of the act mentioned above.

Section 5. If it can be proven that a person covered by section 2 has lost instruments, books, tools or the like which he has taken along for use in the service, he shall be entitled to special compensation. If nothing else has been agreed upon, the compensation amount shall be calculated as the actual cost of the object at the time when the compensation is paid.

Section 6. This order shall enter into force on 20 August 2013.

Subsection 2. This order shall take effect for the calculation of compensation for employees for belongings that have been lost on or after 20 August 2013.

Danish Maritime Authority, 16 August 2013

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