

# **Regulations of 19 August 2013 No. 990 on the scope of application of the Ship Labour Act**

**Legal basis:** Laid down by the Norwegian Maritime Authority on 19 August 2013 under the Act of 21 June 2013 No. 102 relating to employment protection etc. for employees on board ships (Ship Labour Act) section 1-2 third paragraph, cf. Formal Delegation of 3 July 2013 No. 974.  
**EEA references:** EEA Agreement, Annex XVIII point 32j (Directive 2009/13/EC).

## **Section 1**

### *Persons to whom the Ship Labour Act shall not apply*

The Ship Labour Act shall not apply to persons who:

- a) only work on board while the ship or mobile offshore unit is in port;
- b) serve on the Norwegian Armed Forces' vessels, except for civilian personnel on board ships chartered by the Norwegian Armed Forces;
- c) only carry out inspections on board;
- d) serve as pilots;
- e) are covered by the Working Environment Act and who perform work on board for a shorter period of time.

## **Section 2**

### *Employees to whom the Ship Labour Act shall apply in part*

For employees performing work which in its nature does not form part of the ship's ordinary operation, the Ship Labour Act shall apply with the exception of the third paragraph of section 2-4 of the Act. The certification of the ship pursuant to chapter 12 of the Ship Labour Act does not include persons referred to in the first sentence.

For persons covered by the Civil Servants Act, the Ship Labour Act, with the exception of sections 3-1, 3-2, 3-4, 3-5, 3-6, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-10, 5-11, 5-12, 5-13, 5-14, 5-15, 5-16 and chapter 6, shall apply.

## **Section 3**

### *Application of the Ship Labour Act to persons working on board mobile offshore units*

For employees working on board mobile offshore units and who are included in the manning certificate, the Ship Labour Act, with the exception of section 4-6 first paragraph (a), shall apply. The provisions of the Ship Labour Act sections 4-1, 4-2, 4-3 and 4-4 first and second paragraphs may be departed from in collective bargaining agreements or upon written agreement between the parties.

For employees not included in the mobile offshore unit's manning certificate, sections 4-6 first paragraph (e), 8-1, 8-2, 8-5, 9-2, 9-3 and 9-4 of the Ship Labour Act shall apply.

For independent contractors working on board Norwegian mobile offshore units, chapters 8, 9 and 10 of the Ship Labour Act shall apply.

Mobile offshore unit means a unit as defined in Regulations of 26 June 2007 No. 706 on the scope of application of the Ship Safety and Security Act for mobile offshore units.

This provision shall apply when the mobile offshore unit is in transit or operating on a foreign shelf.

## **Section 4**

### *Entry into force*

These Regulations enter into force on 20 August 2013.