Regulation of 26 June 2007 No. 705 concerning hours of work and rest on board Norwegian passenger and cargo ships, etc.


Chapter 1
General provisions

§ 1 Scope of application
This Regulation relates to the hours of work and rest on board Norwegian passenger and cargo ships for seafarers who do work on account of the ship, as well as on pleasure crafts when work is done on board. The Regulation shall also apply to seafarers employed on Norwegian registered mobile offshore units in transit, and which are under maritime operation.

§ 2 Definitions
For the purpose of this Regulation, the following definitions shall apply:

a) Working hours: Time during which a seafarer is required to do work on account of the ship.
b) Mobile offshore units: Mobile offshore platforms, including drill ships, which are equipped for drilling subsea petroleum deposits, and mobile platforms for use other than drilling for subsea petroleum deposits.
c) Hours of rest: Time outside working hours, not including short breaks.
d) Domestic voyages: Trade on lakes or rivers in Norway and voyages on the Norwegian coast pursuant to Regulation of 4 November 1981 No. 3793.
e) Holidays: public holidays, Sundays, as well as festivals prescribed in this country. The period from 1500 hrs to 2400 hrs on Easter Eve, Whitsun Eve, Christmas Eve and New Year’s Eve shall be regarded as equivalent to holidays.
f) Passenger ships: Ships which are allowed to carry more than 12 passengers or which require a trading permit to carry passengers.
g) Seafarers: Those who are employed in any capacity on board a ship and independent contractors who do work on board in connection with the shipowner’s operation.
h) Shift system: A work system according to which the seafarers on a ship will serve on board for a certain period, and will then, wholly or in part, be relieved by a fresh crew, and where the relieved crew may leave the ship.
i) Wage agreement: An agreement between a trade union and an employer or employer’s association relating to terms of work and wage terms or other working conditions.
j) Week: The period from 0000 hrs on Monday to 2400 hrs on Sunday.
k) Watch system: A system according to which the working hours of the ship’s crew, wholly or in part, will be divided into watches, and the entire crew will normally remain onboard.

§ 3 Exemptions
The Norwegian Maritime Directorate may, in individual cases and upon written application, grant exemption from the requirements of the Regulation. There must be special reasons that make the exemption necessary and it must be justifiable in terms of safety. Exemptions can only be granted where they do not contravene international agreements to which Norway has acceded.
Chapter 2
Provisions for working hours and hours of rest

§ 4
Working hours

The regular working hours shall be 8 hours a day, with one day of rest per week and rest on holidays.

On passenger ships on regular domestic voyages with shift or watch systems and other ships of less than 300 gross

 tonnage, the regular working hours may be exceeded, however not to the extent that the total number of working hours
during a period of 12 weeks at the most exceed an average of 56 hours a week.

§ 5
Setting and breaking of watches

When the ship arrives in port, the watches shall be broken no later than 4 hours after the completion of anchoring or
mooring, unless the watches are continued in compliance with the third paragraph.

When the ship leaves port, the watches shall be set at the earliest 8 hours prior to departure.

When the master assumes that the duration of the ship’s stay in port, reckoned from the time of completed anchoring
or mooring to the time when the anchor is again weighed or the mooring cast off, will be less than 14 hours, or when
he finds it necessary for the safety of the ship, he may decide that watches shall be kept as if the ship were at sea.

§ 6
Extra work for reasons of safety

In addition to the provisions of §§ 4 and 5, the master may require a seafarer to perform any working hours

necessary for the safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or
persons in distress at sea. The same may apply concerning the enforcement of customs laws, as well as quarantine and
other health related provisions.

In accordance with the first paragraph, the master may suspend the schedule of working hours or hours of rest and
require a seafarer to perform any working hours necessary until the normal situation has been restored.

In cases as mentioned in the first paragraph, the master shall ensure, as soon as practicable after the normal situation
has been restored, that any seafarer who has performed work in a scheduled rest period is provided with an adequate
period of rest.

§ 7
Reduction of night work for young persons

Youths under the age of 18 years must not work between 2000 hrs and 0800 hrs to a greater extent than the person
having at least 9 consecutive hours of rest during this period of time. However, this does not apply to such work as
mentioned in the first paragraph of § 6.

§ 8
Hours of rest

The hours of rest shall not be less than 10 hours in any 24-hour period, and 77 hours in any 168-hour period. Hours
of rest may be divided into two periods, one of which shall be at least six hours. The interval between consecutive
periods of rest shall not exceed 14 hours.

Musters, fire-fighting and lifeboat drills and other drills prescribed by or pursuant to law shall be conducted in a
manner that minimizes the disturbance of rest periods and do not induce fatigue.

In respect of situations when seafarers have been on call, they shall have an adequate rest period to compensate for
the hours of rest lost when on call.

With the exception of persons forming part of the navigational or engineering watch, exemption from the first
paragraph may be made in a binding wage agreement. Upon exemption, common principles and established norms
concerning the protection of seafarers’ safety and health shall be maintained. For seafarers who work on board ships
on short voyages, more frequent or longer periods of rest or compensating days off may nevertheless be considered.
Chapter 3
Shipboard working arrangements and registration of hours of rest

§ 9
Shipboard working arrangements
There shall be a document on board showing the seafarers’ shipboard working arrangements. The document shall state the commencement and end of each seafarer’s ordinary working hours, as well as the daily total hours of rest.

§ 10
Recording using registration form and the right to receive information
All seafarers shall be supplied with a registration form for recording of their own daily hours of rest.
The master or whomever authorized by him, shall verify and register the hours of rest in every period of 24 hours and 7 days.
The registration form shall every month be endorsed by the master or a person authorized by him, as well as by the seafarer himself. The seafarer shall receive a copy of the records pertaining to him, including the registration form.
All persons who can establish that it will be of legal interest to them, shall have the right of admission to make themselves familiar with the contents of the registration forms and to take a copy of those parts of the forms that are of significance.

§ 11
Form for shipboard working arrangement and registration form, etc.
The contents of the form used for the shipboard working arrangement and the registration form for recording of hours of rest shall be prescribed by the Norwegian Maritime Directorate.
The form used for the shipboard working arrangement shall be posted on board in a readily accessible place.
The forms shall be in the working languages of the ship and in English.
Records of hours of rest under § 10 may also be established by electronic means. This information shall be brought to the attention of the seafarers on board. Recorded information shall be made available to the seafarer concerned and otherwise for the purpose of inspections by the supervising authorities or the competent authority of a Port State.

§ 12
Keeping and endorsement of registration forms, etc.
Forms for recording hours of rest shall be kept on board for a minimum of 6 months after they have been filled out. In addition, the registration forms shall be kept by the shipping company for a minimum of 3 years after they have been filled out. If legal proceedings have been instituted in respect of a claim for payment of work allegedly entered on the forms, the forms shall be kept for more than 3 years until the matter has been finally settled.
The registration forms shall be endorsed by the authorities during supervision. Such supervision shall take place by periodical surveys and unannounced supervisions.
At any time, the Norwegian Maritime Directorate may demand that copies of forms for recording the hours of rest shall be submitted for inspection and endorsement.
Where records of hours of rest are established by electronic means, the Norwegian Maritime Directorate may require the information to be submitted in specified format.

Chapter 4
Supervision and control

§ 13
Supervision
The supervising authorities shall supervise:
a) that the registration forms for recording hours of rest are in compliance with § 8, cf. § 11, and
b) that the shipboard working arrangement form is in compliance with § 9 and is posted on board, cf. second paragraph of § 11.
When carrying out the supervision as mentioned above, all possible efforts shall be made to avoid the ship being unduly delayed. Should the ship nevertheless, be unduly delayed, the shipping company shall have the right to
compensation for any losses suffered. The burden of proof that the ship has been unduly delayed, lies with the shipping company.

§ 14

Detailed inspection

If a supervising authority receives information from a person who have an interest in the safety of the ship, which gives reason to believe that the seafarers on board show signs of fatigue so that they may not be able to carry out their tasks, a more detailed inspection shall be conducted to determine whether the hours of rest recorded on the registration forms are in accordance with the provisions of this Regulation or the wage agreement. Other records relating to the operation of the ship shall be taken into account.

The first paragraph applies correspondingly if the observations made by the supervising authority give reason to make the same assumptions.

The identity of the person lodging the complaint must not be revealed to the master of the ship or the shipping company.

§ 15

Rectification of deficiencies

If a supervision conducted under § 13 first paragraph or § 14 reveals non-compliance with the requirements of this Regulation, the supervising authority shall take the measures necessary to ensure that any conditions on board which are clearly hazardous to the safety or health of seafarers are rectified, and to avoid future violations, including revision of the ship crew.

If seafarers in charge of the first watch or subsequent relieving watches show signs of being unduly fatigued so that they may not be able to carry out their tasks, steps shall be taken to ensure that the ship will not leave port until the deficiencies found have been rectified or the seafarers in question have been sufficiently rested.

Chapter 5
Concluding provisions

§ 16

Entry into force

This Regulation enters into force on 1 July 2007. From the same date, Regulation of 8 July 2002 No. 968 concerning shipboard working arrangements, registration and control of hours of rest on board ship shall be repealed.