

## V. Scope of application

Do the measures implementing the Convention cover, as a seafarer, any person who is employed or engaged or works in any capacity on board a ship to which the Convention applies (Article II, paragraphs 1(f) and 2)?

If no, please explain:

Denmark has implemented the Convention by national laws and regulations. However, collective agreements or individual employment contract may supplement, but not deteriorate the mandatory minimum standards set out in the laws and regulations.

All seafarers on every ship under Danish flag are covered by the Convention. With regard to ships of less than 200 GT (merchant ships, but not passenger ships, with a length below 15 meters) in domestic voyages with a duration of a few hours and usually manned by the shipowner or, in fewer circumstances, by a person working very few hours on board, the Convention along with the laws and regulations implementing the Convention applies to these ships, but the Danish Maritime Authority has, after consultation with the shipowners' and seafarers' organizations listed in Annex C, determined that it is not reasonable or practicable to inspect these ships at the regular basis as ships covered by the Convention. It goes without saying that if a complaint is received concerning a substantial breach of the Convention and national laws and regulations, the ship will be inspected.

The master, however, is covered by a special provision giving him or her a special status. This does not prevent the master from having the same protection and rights, etc., as other seafarers have according to the Convention. Thus, the term "seafarer" is used for both the master and other seafarers.

According to guidance to national law, developed in consultation with the shipowners' and seafarers' organizations listed in Annex C, various groups of persons not involved in the traditional operation of a ship have either been included or been excluded from the definition of a seafarer. In cases of doubt, Denmark will take the Resolution concerning information on occupational groups (adopted on 22 February 2006) into consideration and consult with the shipowners' and seafarers' organizations.

The Danish Maritime Authority has made a website available online about the Convention, including a full list of national laws and regulation as well as a "Frequently Asked Questions" section for both shipowners and seafarers.

Have cases of doubt as to whether any categories of persons are to be regarded as seafarers arisen?

If yes, please provide full information on the consultation process and its result (Article II, paragraph 3):

Yes. The Danish Maritime Authority has recently received a request from the shipowners' and a number of seafarers' organization concerning certain groups of employees on board ships under Danish flag working in a special capacity, either on board or in connection with the ship. A formal decision regarding these groups will require a change of national law.

Have cases of doubt arisen as to whether a ship or a particular category of ship, or a similar navigating means, is covered by the Convention?

If yes, please provide full information on the consultation process and its result (Article II, paragraph 5):

No.