

Regulation No. 208/2004
on working time and rest periods of crewmembers
serving on board Icelandic fishing vessels

Article 1

Purpose

The purpose of the regulation is to ensure the safety and health of crewmembers serving on board Icelandic fishing vessels.

Article 2

Application

This Regulation applies to crewmembers serving on board fishing vessels.

Persons younger than 15 years of age shall not be on board fishing vessels. The work of crewmembers who have not reached the age of 18 is subject to the provisions of Regulation No. 426/1999 on the Work of Young Persons.

Article 3

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- a) Working time: The time during which a crewmember is working and tending to his/her duties.*
- b) Fishing vessels: Each vessel registered as a fishing vessel used for catching fish or other marine ecosystem species.*
- c) Hours of rest: Time outside hours of work.*
- d) Night work: Work during the period between 00:00 P.M. and 07:00 P.M.*
- e) Crewmember working night work: A crewmember who works for a minimum of 3 hours during his/her daily working hours in night work or who is expected to work a minimum of 25% of his/her annual working hours in night work.*

Article 4

General rules

When organizing work, the safety and health of crewmembers shall be in accordance with relevant regulations, cf. Regulation No. 785/1998 on the minimum safety and health requirements for work on board fishing vessels.

Article 5

Hours of work and rest

Hours of work shall not exceed 48 hours per week. The limits on hours of work or rest shall be as follows:

- maximum hours of work shall not exceed 14 hours in any 24-hour period, and 72 hours in any seven-day period, or
- minimum hours of rest shall not be less than ten hours in any 24-hour period and 77 hours in any seven-day period.

Hours of rest may be divided into no more than two periods, one of which shall be at least six hours in length. The interval between consecutive periods of rest shall not exceed 14 hours.

The master may require crewmembers to perform any hours of work necessary for the safety of the ship, all on board, equipment or cargo, or to come to the aid of other vessels or persons in distress at sea.

Article 6

Night work

Crewmembers who perform night work shall be entitled to a medical check before they are hired, while they are employed and after they retire, provided that their conditions of employment such that their health may result in damage and there is reason to believe that this may prevent or limit occupational and work-related diseases. The operator will pay the cost of medical examinations.

Crewmembers who perform night work and suffer from health problems certified by a medical practitioner as being due to the fact that they perform night work shall be transferred, wherever possible, to daytime work to which they are suited.

Article 7

Variations in collective agreements

In accordance with collective agreements, derogations from paragraphs 1-4 of Article 5 may be allowed. Derogations can be due to objective or technical reasons or reasons concerning the organization of work. Derogations shall, to the extent possible, be in accordance with the general principles of the protection of the health and safety of seafarers, but may be deducted from the time off granted.

Article 8

Monitoring

The Icelandic Transport Authority may at any time require the necessary information to monitor compliance with the provisions of the Regulation.

Article 9

Penalties

Infringement of this Regulation is subject to the provisions of Seamen's Act No. 35/1985, as amended.

Article 10

Entry into force

This Regulation, issued pursuant to the provisions of Article 8 and Article 64 of the Seamen's Act No. 35/1985, as amended, takes effect immediately.

The Ministry of Transport and Communications, 20 February, 2004.