

INSTRUCTIONS for Notification of Accidents at Work concerning Seafarers and Fishermen

According to the Workers' Compensation Act an accident at work is an injurious event caused by an event or action, which occurs spontaneously or within 5 days in immediate connection with work.

Purpose

The notification has 2 purposes: Compensation under the Workers' Compensation Act as well as prevention and inspection under the Safety at Sea Act. Normally, the notification is sent to the employer's insurance company as well as to the Danish Maritime Authority concurrently. Accidents at sea with personal injury have to be reported as well.

See page 4 on information on the duty of notification on behalf of the employer and the master of the ship.

Occupational diseases are reported by doctors and dentists on a special form.

Notification can take place electronically (www.soefartsstyrelsen.dk) or by way of this form.

When the accident has taken place in connection with loading and unloading in a Danish port or at a shipyard in Denmark, the notification has to be sent to the Danish Energy Agency and not to the Danish Maritime Authority. This also applies when crew members are affected.

Accidents which occur on offshore installations in Danish subsoil are to be reported to the Danish Energy Agency. However, when the accident occurs on a Danish registered mobile offshore installation during voyage or towage, the Danish Maritime Authority has to be notified.

This is how you fill in the form

Please use a ballpoint pen (preferably block letters) or a typewriter.

- A. For persons who do not have a Danish identification (CPR) number, state date of birth.
Designation of occupation is usually the same as stated in the Safe Manning Document. State the time of accident in numbers and the hours in 00 – 24 local time.
- B. State here the name of the shipping company and the *SE number* applicable to the ship or the injured person's employer.
Only fill in *employer's insurance company, policy number and injured person's annual income at the time of the accident* if you are the injured person's employer and the injured person wished to claim compensation (also see part F of the form).
The *annual income* is the injured person's earned income in the year preceding the accident at work.
- C. Under **type of job** please describe the kind of work that the injured person performs in particular, e.g. work on deck or in machinery spaces, fishing, etc.

D. It is important that you describe **the sequence of events** in such a way that the following clearly appears:

- 1) What was the injured person doing when the accident occurred? And what kind of tool or machine was being used?
For example: "Working with mooring of line upon arrival"
"Work with recovery of fishing gear".
- 2) What went wrong when the accident happened? And what kind of tool, machine or burden was involved?
For example: "The line broke", "The fishing vessel took a lurch".
- 3) In what ways was the person injured? And what kind of tool, machine or burden was involved?
For example: "The injured person's legs were hit by the line"
"The hand was squeezed between drum and net".

You may give a complete description of the whole sequence of events, but please remember to answer all 3 questions.

Only use one X when marking type of injury and injured part of body respectively. In case of several injuries, please mark the most serious injury with an X.

Reportable accidents under the Workers' Compensation Act (to be reported to the insurance company, where the compulsory industrial insurance is taken out) are to be marked.

Reportable accidents under the Safety on Sea Act, the following has to be marked:

Reportable accident:

1. If the accident has led to incapacity for work for 1 day or more following the date of the injury (Lost time accident (LTA)), under here the duration of the incapacity, e.g.

- if the incapacity for work has lasted 1-3 days,
- if the incapacity for work has lasted over 3 days, or
- if the incapacity for work has lasted more than 5 weeks, or
- if the injured person is deceased/had died?

2. If the accident causes the person to be unable to carry out his normal job for 1 day or more following the date of injury (Restricted work accident (RWA)),

or a non-reportable accident:

3. Wishing to report another accident, which is not covered in point 1 or 2.

Print out 5 copies and send to the following:

- Copy 1** Is for The Danish Maritime Authority, Fjordvænget 30, 4220 Korsør.
- Copy 2** Is for the insurance company of the shipping company, if the injured person wishes to claim compensation under the "Workers' Compensation Act". If no insurance is taken out the copy is to be sent to Labour Market Insurance. A medical certificate can be found on www.aes.dk
- Copy 3** Is for the injured person
- Copy 4** Is for the safety organisation of the ship or, for fishing vessels, for the port safety committee. The reverse side is for the safety organisation's/port safety committee's investigation of the accident.
- Copy 5** Is for the shipping company/employer



Fiskernes Forsikring G/S
Platanvej 12
DK-1810 Frederiksberg C
Telephone: 33 21 83 11



The Danish Shipowners' Accident Insurance Association
Amaliegade 33, B
DK-1256 København
Telephone: 33 13 86 88



Danish Maritime Authority
Fjordvænget 30
DK-4220 Korsør
Telephone: 72 19 60 00

Information on the duty of notification and the possibility of compensation etc.

The injured person is intitled to report!

The injured person is always entitled to report an accident at work to Labour Market Insurance. The time limit is 1 year from the date of the accident. Dispensation can be given if excusable circumstances exist.

The master's duties under the Act on Safety at Sea

Under the Act on Safety at Sea and notifications from the Danish Maritime Authority A, chapter X, paragraph A, the master of the ships has to report accidents at work and poisoning:

1. In the event of death.
2. If the accident causes incapacity for work for 1 day or more following the date of the injury (Lost time accident - LTA).
3. If the accident causes the injured person not being able to carry out his normal job for 1 day or more following the date of the injury (Restricted Work accident - RWA) (partial incapacitated).

The incapacity for work does not necessarily have to be directly connected to the date of accident. Accidents exist, where the injury arise delayed (e.g. poisoning, lifting injury etc.).

That the injured person has not been able to carry out his normal job (RWA) include e.g. that the injured person:

- is able to perform normal duties, but for a shorter duration than planned,
- is able to perform a limited part of the normal duties, but for the entire duration of the watch, or
- is transferred to other duties.

The accident at work has to be reported to the Danish Maritime Authority as soon as possible, however not later than 9 days after the first day of work incapacity or partial work incapacity.

All deaths on board Danish ships at sea or in foreign ports must immediately be reported to the Commissioner of Copenhagen Police on telephone +45 33 14 14 48 (Department A).

All accidents at sea and serious accidental injuries on board Danish ships or in foreign ports must immediately be reported to the Danish Maritime Accident Investigation Board (DMAIB) on telephone +45 39 17 44 00 or outside office hours on telephone +45 23 24 23 01 (www.dmaib.dk)

The employer's duties under the Workers' Compensation Act (WCA)

The employer has to report accidents at work to the insurance company, where the compulsory industrial insurance is taken out, not later than 9 days after the accident, if the injury is expected to result in benefits (compensation etc.) under the Act (WCA).

In addition, the employer has a duty to report all accidents at work, which causes more than 5 weeks of absence from work due to illness. These accidents must be reported not later than 9 days after the 5 weeks have passed.

In the event of death, the employer has to inform Labour Market Insurance within 48 hours on telephone +45 72 20 60 00.

If you have any questions, please feel free to call Labour Market Insurance, phone no.: +45 39 17 77 00 or the Danish Maritime Authority, phone no.: +45 72 19 60 00

Special provisions for dental injuries and damage to eyeglasses not involving personal injury

Damaged eyeglasses and dental injuries which do not cause incapacity for work *beyond the date of injury* are not to be reported to the Danish Maritime Authority.

The employer has to report dental injuries on this form to his insurance company or Labour Market Insurance. The dentist uses a special form which is available from Labour Market Insurance, the Danish Dental Association, and the insurance companies.

Damage to glasses/contact lenses which does not at the same time lead to personal injury has to be reported by the employer to the insurance company or Labour Market Insurance on a special form which is available from both places.

What benefits (compensation etc.) can you get?

If the industrial injury has been recognized under the Workers Compensation Act, it is possible to obtain the following:

- payment of medical treatment, damaged eyeglasses etc.,
- compensation for loss of earning capacity,
- compensation for permanent injury,
- transitional allowance in the event of death, or
- compensation for survivors in the event of industrial injuries causing death.

Consent to notification in regarding compensation.

Notification of an accident at work does not require the injured person's consent. However, subsequently the injured person can always ask the Board of Industrial Injuries to refrain from *handling* the case. If copy no. 2 of the notification is sent to employer's insurance company or to the Board of Industrial Injuries, the injured person has declared that the case is reported with the wish to claim compensation under the Workers' Compensation Act.

What is the information used for?

The information is used to improve safety and health and The Danish Maritime Authority registers all notifications, including information on the cause, consequences and background of the accident. The Danish Maritime Authority utilizes the information in its effort to improve safety and health on board ships and the like.

Compensation for industrial injuries: Initially, the employer's insurance company assesses the notification and decides whether to reimburse expenses towards treatment, medicine etc. If the injured person disagrees on the reimbursement the case is sent to the Board of Industrial Injuries. If the insurance company assesses that the accident causes a permanent injury, the case is sent to the Board of Industrial Injuries, which decide if the accident is covered by the Act and if the injury entitles the person in question to compensation.

The employer's insurance company disburses any benefits (compensation etc.) under the Workers' Compensation Act.