

MLC**REPORT**

for the period 1 June 2015 to 31 May 2018 (General Observation 2017), made by the **Government of Finland**, in accordance with article 22 of the Constitution of the International Labour Organisation, on the measures taken to give effect to the provisions of the

Maritime Labour **Convention, 2006, MLC**

ratification of which was registered on 9 January 2013.

Direct Request, 2016**Regulation 1.2 and the Code. Medical certificate.**

If a seafarer is found not to be fit for service at sea during a pre-sea examination or a periodic examination, he or she can apply for dispensation from the Finnish Transport Safety Agency. Before taking a decision on dispensation, the Finnish Transport Safety Agency shall request a second opinion from the Finnish Institute of Occupational Health on the applicant's health status. A dispensation may be granted for no more than two years at a time and, if necessary, limitations or conditions may be added to it. A decision on dispensation granted by the Finnish Transport Safety Agency may be appealed, as provided in the Administrative Judicial Procedure Act (586/1996). Act 1171/2010, section 13

The medical certificate form for seafarers is available in its entirety in Finnish, Swedish and English. The form complies with provisions in STCW Convention 1978 and Maritime Labour Convention MLC 2006. The form can be accessed here.

Regulation 1.4 and the Code. Recruitment and placement services.

The Act on Public Employment and Business Service contains provisions on public employment services. As was stated in the Government's first report, chapter 14, section 1 of the Act, a rectification may be applied for against a decision based on the Act in question issued by the authorities listed in subsection 1 as stipulated by the provisions in chapter 7 a of the Administrative Procedures Act (434/2003). According to subsection 2 of the same section a decision given on the appeal may be further appealed by submitting a complain to the Administrative Court as provided in the Administrative Judicial Procedure Act (586/1996). A decision by an Administrative Court may only be appealed if the Supreme Administrative Court grants leave to appeal. However, subsections 3 and 4 of the section contain provisions on some cases in which there is no right of administrative review or appeal.

According to section 49 e (Chapter 7 a) of the Administrative Procedures Act, a request for an administrative review must be considered urgent. As a rule, decision for which an administrative review may be requested shall not be enforced until it has become final. According to section 49 g of the Administrative Procedures Act once an

authority has admitted a request for an administrative review for consideration, it may decide to amend the administrative decision, rescind it or reject the request for review. A decision to a request for administrative review must include the grounds for the decisions concerning the requests made in the request for review, The authority that processes a request for administrative review can also make a decision to correct content or spelling errors without a separate request in accordance with the provisions laid down in sections 50–53 of the Administrative Procedures Act.

Officials at TE Offices who are tasked with the provision of public employment services are legally liable for their official acts.

The Government Chancellor of Justice and the Parliamentary Ombudsman monitor that authorities and civil servants, public employees and other persons performing a public task comply with the law and fulfil their obligations. A complain can thus be submitted to Government Chancellor of Justice and the Parliamentary Ombudsman on the actions of an authority or public servant. These two bodies can also choose to independently investigate matters.

Regulation 2.1 and the Code. Seafarer’s employment agreements.

Right to examine and seek advice on the employment agreement before signing it.

Chapter 1, section 3 of the Seafarers' Employment Contracts Act contains provisions on the employer’s obligation to see to it that the employment contract is made in writing. The section contains provisions on the terms of employment, which must be clearly stated in the employment contract. When drawing up the employment contract, the employee must also have access to information on the vessel’s valid inspection reports and the vessel’s area of transport. There must be a total of four copies of the employment contract of which one will be given to the employee, one to the ship’s master and two to the employer.

The purpose of a written employment contract is to provide sufficient information to all parties on the conditions for entering into an employment contract. The employee has the right to inspect the employment contract carefully and with time before signing it. If the employee does not understand any provisions or clauses in the contract, the employee may ask the employer to clarify what these mean. If the employee has already started work in their new position, he or she can ask the shop steward on the vessel to take part in the writing of an employment contract. The employee can if he or she so wishes before signing the contract or at any other time during their employment ask occupational safety and health authorities for advice in matters related to his or her terms of employment.

An employment contract is a property law contract and its compilation is protected by freedom of contract. However, it limited with mandatory provisions for the protection of the employee. As is the case with all other property law contracts, an employment contract may not be burdened by any grounds for invalidity (coercion, fraudulently inducement, or extortion, section 28–32) laid down in chapter 3 of the Contracts Act

(228/1929). According to chapter 13, section 1 of the Seafarers' Employment Contracts Act, if the employment contract does not bind the employee due to grounds for invalidity listed in chapter 3 of the Contracts Act, the employee has the right to terminate their employment contract immediately instead of waiting for the invalidity to enter into force, if the grounds for invalidity are no longer relevant. The employee can terminate the employment contract due to the grounds for invalidity even if the work has not yet begun.

The Criminal Code of Finland (39/1889) describes extortionate work discrimination (and work discrimination) as a violation subject to penalty.

The Seafarers' Employment Contracts Act also contains provisions on situations in which compliance with a single term of employment would be unreasonable for the employee or the employer. According to chapter 13 section 2 of the act, if the application of a term of employment is contrary to good practice or otherwise unreasonable, the term can be adjusted or it can be ignored. A term of employment can be unreasonable from the time the employment contract is written or it can later become unreasonable from one party's viewpoint if conditions change. According to section 36, subsection 2 of the Administrative Procedures Act, if the term that is to be altered is such that it would be unfair to enforce the rest of the contract after the adjustment of the term, the rest of the contract may also be adjusted or declared terminated.

Seafarer's date of birth or age in the seafarer's employment agreement.

According to chapter 1, section 3, subsection 1, paragraph 1 of the Seafarers' Employment Contracts Act, the employment contract must list the employee's personal identity code. In Finland, the first six numbers of a personal identity code is made up of the person's date of birth (day, month, year - dd.mm.yy).

Notice period.

In Finland, collective agreements include comprehensive provisions on notice periods for employment that has lasted more than seven days. For, example, according to the collective agreement between the Finnish Seamen's Union (SMU ry) and the Finnish Shipowners' Association on passenger-vessels in international traffic as well as the collective bargaining agreement for vessels in international commercial trade, the employer must comply with a minimum notice period, which is two months (if employment has continued for 0-5 years), and employees must comply with a one month notice period (if employment has continued for 0-10 years). Unorganised employers are also obligated to comply with the provisions on periods of notice in generally applicable collective agreements.

Regulation 2.3 and the Code. Hours of work and hours of rest.

According to section 2, subsection 1, paragraphs 1 and 2 of the Seafarer's Working Hours Act (296/1976), the master of a vessel (on board which two or more persons are employed), the chief engineer and first mate (if their work is not divided into watches) must in any case comply with what is laid down in section 9 a of the act on minimum

periods of rest. Thus, only the chief officer of a passenger vessel finance department (employing at least 15 persons in addition to the said officer) is outside the scope of application of the Act and thus outside the scope of, for example, provisions on periods of rest. The reason for this is that the chief officer of the finance department is deemed in practice to be in a management position to whom working time provisions are not applied on land either.

The Government will initiate a statute drafting project for the implementation of necessary amendments.

Standard A2.3, paragraph 14.

The Government will examine the need for legislative amendments together with employer and employee organisations in the shipping sector.

Standard A2.3, paragraphs 12.

Section 20 of the Seafarer's Working Hours Act contains a provision on the maintaining of working hour records. According to the provision, the employer shall keep a register of hours worked and compensation paid separately for each employee. According to the shipping sector's employer and employee organisations, the sector has established compliance with the requirement in paragraph 12 of MLC Standard A2.3 on the master, or a person authorised by the master and the seafarers endorse the working hour records.

Regulation 2.5, Standard A2.5, paragraph 1 (b)(ii). Repatriation.

According to chapter 3, section 2, subsection 3 of the Seafarers' Employment Contracts Act, when terminating or voiding their employment contract, the employee must ask for the right to a paid homeward journey. Employer and employee organisations in the shipping sector were not aware of any instances in which the provisions may have caused problems or in which the paid homeward journey requested by an employee had been denied.

Regulation 3.1, Standard A3.1, paragraph 18. Accommodation and recreational facilities.

According Standard A3, *paragraph 1 (1b)*, the vessel's living quarters must be inspected regularly, and it must be ensured from the very start that they comply with regulations.

This standard was implemented in accordance with the provision laid down in section 13 of Finland's Act 395/2012, which provides on the inspection of living quarters. According to it, the ship's master has the right to inspect the seafarers' accommodation, if there is reason to suspect that the accommodation does not meet the health and safety requirements or if an inspection is necessary to ensure that the accommodation is suitable for living.

Provisions on regular inspections could not be included in our national law, because according to the Parliamentary Constitutional Law Committee the facilities on board a vessel used for accommodation of a permanent nature are in practice deemed to be protected by the sanctity of the home provision in section 10 of the Constitution of Finland. Inspections can only be carried out in such facilities for compelling reasons (Parliamentary Constitutional Law Committee 40/202 vp). Such a reason may include that the accommodations do not meet with requirements for health and safety.

In practice, vessels are docked twice every five years. At these times, the vessel including its accommodations are inspected and when necessary serviced. Urgent servicing is performed immediately as the vessel is moving and other servicing is performed when the ship is docked.

Regulation 3.2, Standard A3.2, paragraph 4. Training and requirements for ships' cooks.

The Government Decree on the Manning of Ships and Certification of Seafarers (166/2013) contains provisions on the requirements for receiving certification as a ship's cook. The requirements are the person is at least 18 years of age and has training as a ship's cook. The content of this training is specified in the Finnish National Agency for Education's criteria for a basic qualification in the hotel, restaurant and catering industry.

Regulation 4.1, Standard A4.1, paragraph 4 (d). Medical advice by radio or satellites.

Provisions on this are contained in the Maritime Search and Rescue Act (1145/2001). The Act is applied in the rescue and search of people who are in danger in the areas for which Finland's maritime search and rescue services are responsible as well as for handling the radio communication related to hazardous situations (maritime search and rescue services). The Act also contains provisions on the authorities responsible for the maritime safety radio communications. the provision of doctor's services via telephone on a vessel, maritime assistance services, the licencing for certain emergency signal devices the use of which require a permit as well as the first aid services provided in maritime areas. According to section 3 of the Act, the Border Guard acts as the leading maritime rescue authority, and is responsible for radio communications related to hazardous situations as well as the transmission of doctor's services via telephone to vessels (section 3). Maritime search and rescue are on call around the clock.

Regulation 4.2 and the Code. Shipowner's liability.

Standard A4.2, paragraphs 1 (c) and 3 of the Convention.

The employer's liability to bear the costs of the medical treatment of the employee is stipulated in Chapter 2, section 13 of the Seafarer's Employment Contracts Act. Pay during illness is regulated under Chapter 2, section 10 of the Act.

Standard A4.2, paragraph 4.

According to Standard A4.2.1, Section 3b of the Maritime Labour Convention where sickness of illness results in incapacity, the shipowner shall be liable to pay wages in whole or in part as prescribed by national laws or regulations or as provided for in collective agreements from the time when the seafarers are repatriated or landed until their recovery or, if earlier, until they are entitled to cash benefits under the legislation of the Member concerned.

A person in an employment relationship in accordance with the Seafarers' Employment Contracts Act can receive sickness allowance as is prescribed in the Sickness Insurance Act (1224/2004). According to chapter 8, section 7 of the Sickness Insurance Act, sickness allowance or a partial sickness allowance is paid for a time or incapacity with the exception of the day on which the work incapacity began and the nine work-days that come after this. Sickness allowance is paid for a period of at most 300 working days. According to social security legislation, the application of legislation concerning sickness allowance to an employee is determined in accordance with the Act on the Application of Residence-Based Social Security (1573/1993). Section 6 of the mentioned Act includes provisions on the application of social security legislation to crew serving on board Finnish vessels.

An employee within the scope of Finnish social security is, in other words, eligible for the benefits provided in national legislation before the wage payment obligation for times of sickness stipulated in chapter 2, section 10 of the Seafarers' Employment Contracts Act comes to an end. After paying the wage for to the employee for their sick leave, the employer has the right to receive a daily allowance prescribed for the employee in the Sickness Insurance Act and the Workers' Compensation Act (459/2015), but no more than the amount the employer has paid in wages to the employee.

Finland feels that our national legislation implements the requirements laid down in Standard A4.2.4.

Legislation on health and safety protection and accident prevention.

Section 8 and 10 of the Occupational Safety and Health Act contain provisions on the employer's general duty to ensure that accident risks are recognised and investigated and that their consequences to the employees' safety and health are assessed comprehensively, systematically and reliably enough. These provisions also cover the prevention of accidents. This legislation is also applied to maritime shipping.

Standard A4.3, paragraph 2(d). Ship's safety committee.

Section 44 of the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces provides that a vessel's occupational safety and health committee and its members. According to subsection 1, paragraph 3 of the provision, an occupational safety and health committee must be established on ship with at least 5 crew members.

Regulation 5.1.3 and the Code. Maritime labour certificate and declaration of maritime labour compliance

The Government will implement the necessary amendments to DMLC Part I.

According to chapter 13, section 15 of the Seafarers' Employment Contracts Act employer shall make the valid maritime labour certificate and the declaration of maritime labour compliance freely available to employees at the ship. The documents must also be available in the English language on board ships operating in international traffic.

There is also a general SOLAS requirement which obliges to have the certificate, at minimum, readily available on board for examination at all times, see SOLAS Chapter I, General Provisions, Part B (Surveys and Certificates, harmonized 1988 Protocol Requirements, Non-harmonized 1978 Requirements), Regulation 16. According to Section 22 of Act on the Working and Living Environment and Catering for Seafarers on Board Ships (395/2012) the provisions issued under the Act shall be kept available for inspection by the seafarers in the workplace.

Regulation 5.1.4 and the Code. Inspection and enforcement.

An inspector from a competent authority will enter an inspection report into the VERA system, which will automatically notify the competent authority that the report has been completed.

Regulation 5.1.5 paragraph 2. On-board complaint procedures.

Chapter 47, section 3 of the Criminal Code of Finland contains provisions on work discrimination. According to it, "An employer, or a representative thereof, who when advertising for a vacancy or selecting an employee, or during employment without an important and justifiable reason puts an applicant for a job or an employee in an inferior position

1. because of race, national or ethnic origin, nationality, colour, language, sex, age, family status, sexual preference, inheritance, disability or state of health, or
2. because of religion, political opinion, political or industrial activity or a comparable circumstance, shall be sentenced for work discrimination to a fine or to imprisonment for at most six months."

I Any new legislative or other measures affecting the application of the Convention

The Act on the Amendment of Chapter 2 and Chapter 13 of the Seafarers' Employment Contracts Act (1115/2016) can be considered the most important new legislation that will influence the application of the ILO Maritime Labour Convention. The Act in question helped to implement the amendments needed to the Seafarers' Employment Contracts Act in order to implement the necessary changes to the guidelines for the Maritime Labour Convention. In order to implement the amendments provisions were added to the Seafarers' Employment Contracts Act that obligate the employer to purchase an insurance policy or other money collateral and to maintain it in order to safeguard the rights of the employee to homeward journeys and the position of the employee if they fall ill or become injured. Additionally amendments were made to the Act that were required for the implementation of the EU's Temporary Agency Work Directive (2008/104/EC). The Act entered into force on 18 January 2017.

Other amendments made to the Seafarers' Employment Contracts Act during the reporting period are the result of needs related to the implementation of national or EU legislation. Here is a list of the most essential of these:

Starting from the beginning of 2017, the employer has had the right to employ a person who is long-term unemployed in a temporary employment relationship without a requirement for special grounds. The maximum length of the trial period agreed on at the beginning of employment was extended to six months and the employer was provided the right to continue the trial period if the employee was away from work during the trial period due to illness or injury or family leave. Additionally, the employer's re-employment obligation was reduced to four months and to six months in the case of long-term employment (Act 1449/2016).

At the beginning of 2017, an obligation entered into force according to which an employer must offer an employee, whose employment was terminated for production-related or financial reasons, the possibility to participate in training or education that aims to promote employment paid for by the employer. The obligation applies to employers who regularly have at least 30 people in their employment. The education or training must be offered to employees who have been employed by the employer for at least five years. A provision was also added, which obligates employers to provide occupational healthcare for employees whose employment has been terminated for a period of six months from the time their employment ended. The amendments were based the competitiveness agreement entered into by central labour organisations and apply to both the private and public sector and seafarers (Act 1268/2016)

Act 390/2017 implemented amendments to the Seafarers' Employment Contracts Act, which were required for the application of the EU's Council Directive 2001/23/EC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses. The need for amendments resulted from the Directive (Eu) 2015/1794 of the European Parliament and of the Council amending Directives 2008/94/EC, 2009/38/EC and 2002/14/EC of the European Parliament and of the Council, and Council Directives 98/59/EC and 2001/23/EC, as regards seafarers, which amended the scope of application of a total of six different EU directives so they now also apply to seafarers. The Act came into effect on 01/10/2017.

The Government Decree on the working environment on ships (289/2017) was given by virtue of the Act on the Working and Living Environment and Catering for Seafarers on Board Ships (395/2012). This decree brought legislation concerning the working environment on ships up to date so that it now meets with national and international obligations. The decree text is available in Finnish [behind this link](#).

The Government Decree on the working environment on ships (289/2017) was given by virtue of the Act on the Working and Living Environment and Catering for Seafarers on Board Ships (395/2012). This decree brought legislation concerning the working environment on ships up to date so that it now meets with national and international obligations.

II Any new question or request for information included in a revised version of the report form since the Government's last report

V. Scope of application.

*For purposes of the Convention what is the definition of a ship under national law?
(Article II, paragraphs 1(i) and 4).*

In Finland, the scope of the Maritime Labour Convention is covered according to the scope of application of the Seafarers' Employment Contracts Act. The provisions that apply to the scope of application are chapter 1, sections 1 and 2 of the Seafarers' Employment Contracts Act. The Maritime Act contains provisions, for example, on when a vessel is considered Finnish (chapter 1, section 1). Additionally, it is relevant with regard to the Maritime Labour Convention that Act on the Working and Living Environment and Catering for Seafarers on Board Ships scope of application provision (section 2) according to which the Act is applied to Finnish vessels on board which there is a crew. However, the Act is not applied to:

- 1) State-owned vessels used for defence force and coast guard duties;
- 2) hydrofoil vessels, hover crafts and heritage vessels;
- 3) fishing vessels which are less than 24 metres long.

In addition, a subsection in section 3 includes a provision, which specifies that the provisions in the Maritime Labour Convention will be applied for foreign vessels when they are in Finland's waters.

*In the case of ships under 200 GT which are not engaged in international voyages, have any measures been taken under Article II, paragraph 6, to apply differently certain details of the Code?
(Article II, paragraph 6).*

No.

Regulation 1.4 – Recruitment and placement.

*If private seafarer recruitment and placement services are operating in your country, please provide information on the system of protection that they are required to establish (by way of insurance or other measures) to compensate seafarers for monetary loss that they may incur as a result of the failure of the recruitment and placement service or the relevant shipowner under the seafarers' employment agreement to meet its obligations to them.
(Standard A1.4, paragraph 5(c)(vi))*

There are no private seafarer recruitment and placement services operating in Finland.

Regulation 2.1 – Seafarer's employment agreement.

*Do national laws or regulations provide that seafarers working on ships flying your country's flag must have a seafarers' employment agreement (SEA) signed by both the seafarer and the shipowner or shipowner representative (or, where they are not employees, other evidence of contractual or similar arrangements), providing them with decent working and living conditions on board the ship, and that the shipowner and seafarer concerned have each a signed original of the SEA.
(Standard A2.1, paragraph 1(a) and (c))*

According to chapter 1, section 3 of the Seafarers' Employment Contracts Act, the employer must see to it that the employment contract is made in writing. Although the Act does not include provisions that directly state the employment contract must be signed, the requirement that the contract is made in writing generally also means that the contract is in fact signed. The lack of a signature or neglecting the requirement to draw up a written employment contract does not as such void an employment contract or employment relationship. The employee, who has worked for the employer on a Finnish vessel in the manner provided in chapter 1, section 1 of the Seafarers' Employment Contracts Act is within the scope and protection of the Seafarers' Employment Contracts Act. The employer can be sentenced to a fine in accordance with chapter 13, section 20 of the Seafarers' Employment Contracts Act for a violation of seafarers' employment contracts, if he or she has not complied with the statutory requirement for a written employment contract.

According to chapter 1, section 3 of the of the Seafarers' Employment Contracts Act, there must be a total of four copies made of the employment contract of which one will be given to the employee, one to the ship's master and two to the employer.

Do laws or regulations provide that seafarers are given a document containing a record of their employment on board the ship? (Standard A2.1, paragraphs 1(e) and 3).

Yes. This is regulated in Chapter 7, section 10 of the Seafarers' Employment Contracts Act.

Please provide information on any laws and regulations requiring that the SEA contain the matters set out in Standard A2.1, paragraph 4(a)–(j) and, as applicable, (k)

These are regulated in Chapter 1, section 3 of the Seafarer's Employment Contracts Act.

Regulation 2.4. – Entitlement to leave

Are any agreements to forgo the minimum annual leave with pay prohibited under national legislation? (Standard A2.4, paragraph 3)

Yes. Section 26 of the Act on Annual Holidays for Seafarers contains provisions on exceptions granted to foreign employers on compliance with the provisions in the Act in question either partially or completely, but the exception cannot be granted on the length of the annual holiday provided in section 2 of the Act.

Regulation 2.5. – Repatriation

What are the circumstances under which a seafarer is considered abandoned according to national legislation? (Standard A2.5.2, paragraph 2)

Provisions on this matter are contained in chapter 13, section 13 a of the Seafarers' Employment Contracts Act, which references the situations referred to in rules 2.5 and 4.2 in the ILO's Maritime Labour Convention's guideline (52/2013).

Does national legislation provide that ships that need to be certified according to Regulation 5.1.3 must carry on board a certificate or other documentary evidence of financial security issued by the financial security provider? If yes, please specify if the certificate or other documentary evidence must contain the information required by Appendix A2-I and has to be in English or accompanied by an English translation, and if a copy must be posted in a conspicuous place on board. (Standard A2.5.2, paragraphs 6 and 7)

Yes, this is regulated in Chapter 13, section 15 of the Seafarers' Employment Contracts Act.

Additionally, when the employer is a party other than the shipping company see chapter 13, section 7 of the Seafarers' Employment Contracts Act. The shipowner is responsible for anyone employed on a ship without an employment contract see chapter 13, section 7 a of the Seafarers' Employment Contracts Act. The shipping company and the shipowner must see to it that the employees can at any time view the certificate on insurance or other money collateral that is in accordance with section 17, subsection 2 and section 17 a, subsection 2 of the Seafarers' Employment Contracts Act.

Does national legislation require that the financial security system is sufficient to cover outstanding wages and other entitlements; all expenses incurred by the seafarer (including the cost of repatriation); and the essential needs of the seafarers, as defined in Standard A2.5.2, paragraph 9?

This is regulated in Chapter 13, section 13 a of the Seafarers' Employment Contracts Act.

Does national legislation provide for at least 30 days of notice by the financial security provider to the competent authority of the flag State before the financial security can cease? (Standard A2.5.2, paragraph 11)

Yes (Chapter 13, section 13 a of the Seafarers' Employment Contracts Act).

Documentation:

Please provide: an example of the kind of documentation that is accepted or issued with respect to the financial security that must be provided by shipowners (reg. 2.5, paragraph 2). Where this material is not available in English, French or Spanish, please provide a summary in one of these languages.

Please see Annex I.

Regulation 4.1 – Medical care on board ship and ashore

When are ships flying your country's flag required to carry on board a qualified medical doctor who is responsible for providing medical care to seafarers? (Standard A4.1, paragraph 4(b))

According to section 7 of Act on Ships' Crews and the Safety Management of Ships (1687/2009) if a ship carries no less than 100 persons in international traffic and the

duration of the voyage is more than three days, the ships must have a licensed physician according to the Maritime Labour Convention. On ships smaller than this, medical care is the responsibility of the ship's master who usually assigns the responsibility to one of the officers. Large passenger ferries have a registered nurse who is responsible for medical care.

Regulation 4.2 – Shipowner's liability

Please indicate how national laws and regulations ensure that the system of financial security meets the following minimum requirements:

- a) payment of compensation in full and without delay;*
- b) no pressure to accept payment less than the contractual amount;*
- c) interim payments (while situation is being assessed) to avoid undue hardship;*
- d) offsetting payment against any damages resulting from any other claim made by the seafarer against the shipowner and arising from the same incident;*
- e) persons who can bring the claim for contractual compensation (seafarer, her/his next of kin, representative or designated beneficiary).*

(Standard A4.2.1, paragraph 8)

This is also regulated in Chapter 13, section 13 a of the Seafarers' Employment Contracts Act.

Does national legislation provide that ships must carry on board a certificate or other documentary evidence of financial security issued by the financial security provider?

If yes, please specify if the certificate or other documentary evidence has to contain the information required in Appendix A4-I, be in English or accompanied by an English translation, and if a copy must be posted in a conspicuous place on board.

(Standard A4.2.1, paragraphs 11 and 14)

This is regulated in Chapter 13, section 15 of the Seafarers' Employment Contracts Act.

Does national legislation provide:

- a) for at least 30 days of notice by the financial security provider to the competent authority of the flag State before the financial security can cease;*
- b) that the competent authority is notified by the financial security provider if a shipowner's financial security is cancelled or terminated;*
- c) that seafarers receive prior notification if a shipowner's financial security is to be cancelled or terminated?*

(Standard A4.2.1, paragraphs 9, 10 and 12)

Please, see Seafarers' Employment Contracts Act Chapter 13, section 15.

Regulation 4.5 – Social security

What fair and effective procedures for the settlement of disputes relating to social security for seafarers have been established? (Standard A4.5, paragraph 9)

Appeals related to decisions concerning social security are addressed to the Social Security Appeal Board, which is an independent appeals body equivalent to a special

court for social insurance. The board's operations are based on the Unemployment Security Act (1299/2006). Appeals concerning decisions by the appeal board are addressed to the Insurance Court.

Appellate instances listed in the Workers' Compensation Act (459/2015) include the Accident Appeal Board, the Insurance Court and the Supreme Court. The Act on the Accident Appeal Board (1316/2010) includes provisions on the operations of the Accident Appeal Board and the Courts Act (673/2016) contains provisions on the Insurance Court. The duties of the Supreme Court are laid down in the Supreme Court Act (665/2005).

If a person is not satisfied with a decision by an insurance institution, they can submit a written complaint on the decision to the Accident Appeal Board. If a person is not satisfied with a decision by the Accident Appeal Board, they can submit a written complaint on the decision to the Insurance Court. In addition, a decision by the Insurance Court, if it contains a decision on whether a party is entitled to statutory compensation for an injury, disease or death, or on how the compensation should be paid to, an appeal on the matter can be submitted to the Supreme Court, if the Supreme Court gives leave of appeal (chapter 33, section 238 of the Workers' Compensation Act).

III Any questions in the report form on the practical application of the Convention

Nothing to report.

IV Statements of the Labour Market Organisations:

A copy of this report has been sent to the following labour market organisations:

1. The Confederation of Finnish Industries (EK)
2. The Central Organization of Finnish Trade Unions (SAK)
3. The Finnish Confederation of Salaried Employees (STTK)
4. The Confederation of Unions for Academic Professionals in Finland (Akava)
5. The Commission for Local Authority Employers (KT)
6. The State Employer's Office (VTML)
7. The Federation of Finnish Enterprises (SY)
8. Finnish Shipowners' Association
9. Finnish Seamen's Union
10. Finnish Ships' Officers' Association
11. Finnish Engineers' Association
12. Finnish Port Operators Association
13. Finnish Passenger Ferry Association (Suomen Matkustajalaivayhdistys ry)

Statements of the labour market organisations:

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