

PROTOCOL

Amendments of the Annex C to the NIS CBA and the Annex E to the Non Norwegian Flag (Model) Agreement between the Norwegian Shipowners' Association and the Polish Seafarers' Union/Norwegian Maritime Unions

Agreement About Compensation in case of disability or death caused by War or Piracy Attack

The parties agreed to establish an agreement regarding compensation in case of disability or death that befalls a seafarer when in service on a ship as a direct consequence of a war or piracy attack, See the chapter 15 of the Norwegian Marine Insurance Plan of 1996, version 2007.

The agreement shall cover disability or death as a direct consequence of a ship transiting an area where the parties have agreed that there exist a risk for war or piracy attack, and have established an agreement describing this area (see the NIS CBA article 11 and the Model CBA article 13)

Article 1

The following conditions will apply regarding compensation in case of disability or death directly caused by war or piracy attack:

1. In case of injury that makes the seafarer permanently unfit for further service as a seafarer, he/she receives a compensation of USD 165 000.
2. If the seafarer dies, the surviving dependants (spouse, children or parents in this preferential order) will receive USD 165 000
3. If the seafarer is permanently unfit for further service as a seafarer (see point 1 above), and has children under the age of 21 years that are supported by him/her, or he/she dies (point 2 above) leaves behind children under the age of 21 years, each child will receive a compensation of USD 40 000

Article 2

The above mentioned compensation amounts, will be given in addition to the compensations and pensions from collective life insurance, insurance contribution or other collective or individual pension- and insurance arrangements that might exist and that cover death and injury caused by war or piracy attack. However, seafarers who are entitled to the compensation mentioned in article 1 above, are not entitled to the compensation provided for in case of death and disability in NIS or Model agreements concluded between the Norwegian Shipowners' Association, the Polish and Norwegian Unions, see the NIS agreement article 10 A and the Model agreement article 11 and 12 A.

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Article 3

This Agreement is subject to Norwegian laws and Norwegian courts of justice

Article 4

This Agreement is effective from the 1 January 2010 and will replace all earlier collective bargaining agreements and protocols regarding war and piracy attacks that have been established between the Norwegian Shipowners' Association, the Polish and Norwegian Unions for NIS and foreign flag ships for Polish officers and Polish ratings. This Agreement applies until further notice and can be terminated by 3 (three) months mutual notice.

Oslo 1 January 2010

Norwegian Shipowners' Association

Norwegian Maritime Officers' Association

Norwegian Union of Marine Engineers

Norwegian Seafarers' Union

Polish Seafarers' Union