



Maritime Law Survey

Lithuania, Latvia and Estonia

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Introduction

Dear Reader,

Maritime law issues continue to play an increasing role in legal practice in the Baltic States region. The ports of Estonia, Latvia and Lithuania are in a unique geographical location to connect trade flows to and from Scandinavia as well as between the European Union and neighbouring CIS countries and further afield in Central Asia and China. The Baltic ports are constantly increasing their capacity for international transport, while significant ongoing investment in port infrastructure will ensure further growth. Related commercial activity involves a range of legal questions involving marine commerce and insurance, shipping, sailors' and shipowners' duties, and transportation of passengers and goods by sea.

This publication provides a concise overview of maritime law and practice in Estonia, Latvia and Lithuania, drafted by practitioner members of the bnt attorneys-at-law Maritime Law Practice Group. It will provide practitioners and businesses with essential information in their work connected to maritime commerce.

bnt attorneys-at-law offers a wide range of legal services in the field of maritime law and in related areas:

- ship financing and debt recovery
- charterparty agreements
- M&A deals, sale and purchase of ships
- company registrations
- ship flagging
- ship arrests
- marine (hull & machinery; protection and indemnity) and non-marine insurance
- enforcement of foreign judgments and awards
- dispute resolution in court and arbitration proceedings

We have sought to bring the law in this publication up to date to 1 August 2013.

Theis Klauberg
bnt Maritime Law Practice Group

Riga, 1 September 2013

1. Port state control:

Authority:

LAT	Latvian Maritime Administration Authority
LIT	Lithuanian Maritime Safety Administration
EST	Estonian Maritime Administration

Paris MoU: Latvia, Lithuania and Estonia are members of the Paris Memorandum of Understanding on Port State Control

Ship detention and delay:

LAT	Inspectors of the Maritime Administration Authority carrying out port state control can decide to detain or delay a ship not complying with safety requirements. The burden of proof regarding deficiencies claimed lies with the owner, bareboat charterer or ship operator.
LIT	While carrying out port state control, inspectors can detain a ship for not complying with maritime safety requirements or working and living conditions of crew on board. If a ship registered in the Lithuanian Register of Seagoing Ships is detained for constantly violating maritime safety requirements, the Maritime Safety Administration can suspend its safety management certificate for up to 3 months.
EST	Supervisory officers of the Maritime Administration may prohibit a ship flying the Estonian national flag or a foreign flag from leaving port if it has deficiencies (defects that threaten the ship, individuals, another vessel or the environment). The Maritime Administration can prohibit use of ship facilities, equipment and tools.

Maritime accident and incident investigation authority:

- LAT** Bureau for Investigation of Transportation Accidents and Incidents
- LIT** Transport accident and incident investigation Division of the Ministry of Transport and Communications
- EST** Estonian Safety Investigation Bureau as well as Marine Casualties Investigation and Maritime Safety Development Department of the Estonian Maritime Administration

2. Ship registration and flagging:

Ship registration:

LAT

Ships:

- residents' ships
- non-residents' ships on the basis of management or bareboat agreements

complying with binding international and national regulatory provisions on navigation safety, protection of human life, health and environment, can be registered with the Ship Register or the Road Traffic Safety Authority Register

LIT

Ships to be registered with the Lithuanian Register of Seagoing Ships:

- ships designed and built for seagoing navigation having documentary proof thereof owned by a Lithuanian citizen or a legal person registered in Lithuania;
- seagoing ships under construction, if:
 - design documentation for ship construction is prepared and approved as established by Lithuanian law;
 - a contract for ship construction exists;
 - at least 20 percent of the ship's body construction works are completed;
- ships registered in a foreign country and leased / chartered by a Lithuanian citizen or a legal person registered in Lithuania under a bareboat charter (these ships are registered temporarily).

EST

A marine vessel that must or can fly the Estonian national flag and has an overall length of at least 12 meters must be registered in the Shipping Register. Also an inland vessel of at least 12 meters in length whose owner is a natural person residing in Estonia or an Estonian legal person

must to be registered with the Shipping Register. Sailing yachts or motor crafts must be registered in the Shipping Register, if their length is at least 24 meters. At the request of the owner, shorter marine or inland vessels may also be registered in the Shipping Register.

Flagging:

LAT

Non-residents' ships can sail under the Latvian flag if registered with the Latvian Ship register on the basis of a bareboat contract. These ships must comply with Latvian regulatory requirements regarding operation of the ship (crew, technical supervision, navigation safety, etc.).

LIT

Foreign ships temporarily registered with the Lithuanian Register of Seagoing Ships (on the basis of a bareboat charter) may sail under the Lithuanian flag while the bareboat charter is valid.

EST

The Estonian national flag must be flown by ships owned by:

- the Republic of Estonia, local government or other public entity;
- an Estonian citizen residing in Estonia;
- a general or limited partnership located in Estonia where Estonian partners have a majority;
- any other private legal entity located in Estonia with a majority of Estonian citizens on its board of directors or equivalent bodies.

A co-owned marine vessel must fly the Estonian national flag if at least one co-owner is an Estonian citizen residing in Estonia and the majority of the vessel belongs to Estonian co-owners.

A marine vessel can fly the Estonian national flag if:

- the vessel is owned by an Estonian citizen not residing in Estonia;

- most of a co-owned marine vessel is owned by Estonian co-owners;
- the majority of a marine vessel subject to co-inheritance belongs to Estonian citizens or Estonian legal entities.

A vessel not covered by the above obligation or right can fly the Estonian national flag on the basis of an international agreement.

The right to fly the Estonian national flag is not granted a ship which has been included in the list of vessels that confirmed as having engaged in illegal, unreported and unregulated fishing.

3. Ship mortgage:

Registration:

LAT

Ship mortgages – which are transferable – are registered with the Latvian Ship Register in the order they are presented to the Ship Register (priority criterion). The following documents are required for registration of a ship mortgage:

- ship's bond, using a standardised form, certified by a notary,
- consent of all owners to the mortgage registration (in case of multiple owners), certified by a notary.

LIT

Ships registered with the Lithuanian Register of Seagoing Ships are mortgaged as required by the Lithuanian Civil Code and the Lithuanian Code of Civil Procedure. Mortgages must be registered with the Lithuanian Mortgage Register. Ships are mortgaged with all equipment and appurtenances necessary for navigation or travel that is on board on the day of conclusion or imposition of the mortgage.

EST

A ship mortgage is created by an entry in the Ship Register. An entry in the Ship Register requires a notarised mortgage agreement between the owner and the mortgagee. The ship mortgage entry must contain the following information:

- the mortgagee;
- the monetary amount of the mortgage;
- in the case of a joint mortgage – the type of mortgage.

Discharge:

LAT

In order to discharge a ship mortgage, the creditor must apply (in the form of a notarial deed) to the Ship register. To renew a ship mortgage, the earlier ship mortgage is automatically discharged through registration

of the new ship mortgage.

LIT

A ship mortgage is discharged under the general mortgage extinction grounds and rules set out in the Lithuanian Civil Code and the Code of Civil Procedure.

Discharging a ship mortgage imposed by a court requires an application to Klaipeda district court.

EST

A ship mortgage ends with deletion of the entry from the Ship Register. A ship mortgage will also be deleted if the mortgagee's claim is fully or partially satisfied at a compulsory auction.

4. Maritime liens:

Claims secured:

LAT

Maritime liens - which take priority over claims arising from mortgage and other encumbrances on a ship - in respect of a ship-owner, bareboat charterer or ship operator secure claims:

- associated with employment on the ship;
- in relation to loss of human life or harm caused to health in connection with operation of the ship;
- associated with a reward for salvage of a ship;
- associated with payments for use of ports, canals and other waterways and pilotage services;
- arising out of loss of or damage to property or destruction thereof caused by operation of the ship other than loss of or damage to cargo, containers and passenger belongings carried on the ship,

unless these arise from losses associated with carriage by sea of oil or other hazardous or noxious substances or from the radioactive properties of substances or a combination of radioactive substances with toxic, explosive or other hazardous nuclear fuel, or from hazardous radioactive products or wastes.

LIT

Each of the following claims against the owner, demise charterer, manager or operator of the vessel can be secured by a maritime lien on the vessel:

1. claims for wages and other sums due to the master, officers and other members of the vessel's complement in respect of their employment on the vessel, including costs of repatriation and social insurance contributions payable on their behalf;

2. claims in respect of loss of life or personal injury occurring, whether on land or on water, in direct connection with the operation of the vessel;
3. claims for reward for salvage of the vessel;
4. claims for port, canal, and other waterway dues and pilotage dues;
5. claims based on tort arising out of physical loss or damage caused by operation of the vessel other than loss of or damage to cargo, containers and passenger belongings carried on the vessel.

No maritime lien attaches to a vessel to secure claims as set out in subparagraphs 2 and 5 above which arise out of or result from:

- damage in connection with carriage of oil or other hazardous or noxious substances by sea for which compensation is payable to the claimants under international conventions or national law providing for strict liability and compulsory insurance or other means of securing claims; or
- radioactive properties or a combination of radioactive properties with toxic, explosive or other hazardous properties of nuclear fuel or radioactive products or waste.

EST

The following claims are secured by maritime lien and are satisfied before other claims, including a claim secured by a ship mortgage:

- claims for wages and other sums arising from service relations owed to the captain, crew and other members of the ship's personnel, including repatriation and social insurance contributions paid for these individuals;
- claims arising out of loss of human life or bodily injury

occurring on land or on water, if in direct relation to use of the ship;

- claims arising from the ship's salvage charges;
- claims for port and canal charges and other waterway charges; pilot fees;
- claims arising out of direct damage caused by use of ship, except for damage to ship's cargo, containers and passenger belongings,

unless the damage occurred in connection with transportation of oil or noxious substances by sea – in that case compensation is paid to claimants under international conventions or laws that provide strict liability or compulsory insurance or other means of securing the claim – or in connection with nuclear fuel or nuclear waste, which is radioactive or a combination of radioactive and toxic, explosive or other hazardous characteristics.

Possessory lien:

LAT Any natural or legal person has a right of retention under Latvian Civil Law, if the ship or cargo is in the possession of that person.

LIT Any natural or legal person has a right of retention under the Lithuanian Civil Code if the ship or cargo is in the possession of that person.

EST With reference to cargo, the carrier has a right of retention of goods together with the accompanying documents to ensure claims arising from the carriage of cargo and from previously concluded carriage, forwarding or storage contracts. The right of retention lasts as long as the goods are in the possession of the carrier. In general, if the parties have mutual obligations from an agreement, according to the Estonian law

of obligations, a party can refuse performance until the other party to the agreement has performed, offered to perform, secured or confirmed their performance.

Transfer of lien:

- LAT** A maritime lien is attached to a ship irrespective of registration of ownership rights or change of flag. Ceding of claims secured by maritime liens causes simultaneous ceding of the maritime liens themselves.
- LIT** A maritime lien is attached to a ship irrespective of registration of ownership rights or change of flag. Assignment of or subrogation to a claim secured by a maritime lien entails simultaneous assignment of or subrogation to such a maritime lien. Claimants holding maritime liens may not be subrogated to compensation payable to the owner of the vessel under an insurance contract.
- EST** A maritime lien remains attached to the ship in case of its disposal, regardless of whether the purchaser knew of the encumbrance through a maritime lien. A maritime lien also remains attached to the ship when the place of registration or the ship's flag is changed.

Recognition of foreign encumbrances:

- LAT** When registering a ship in the Ship Register, previous registered foreign encumbrances remain in force – by preserving their priority – if (a) the respective ship encumbrances are entered into the certificate of deletion of the ship or equivalent document issued by the previous ship register, and (b) filed copies of encumbrance documents are approved and legalised in line with procedures specified by international agreements.

- LIT** Mortgages, „hypothèques“ and registrable charges of the same nature effected on seagoing vessels are recognized and enforceable if:
1. these mortgages, „hypothèques“ and charges were effected and registered in line with the law of the State in which the vessel is registered;
 2. the register and any instruments required to be deposited with the registrar under the law of the State in which the vessel is registered are open to public inspection, and extracts from the register and copies of those instruments are obtainable from the registrar; and
 3. either the register or any instruments referred to in subparagraph 2 above specifies at least the name and address of the person in whose favour the mortgage, „hypothèque“ or charge was effected or, if it has been issued to bearer, the maximum amount secured, if that is a requirement of the law of the State of registration or if that amount is specified in the instrument creating the mortgage, „hypothèque“ or charge, and the date and other particulars which, under the law of the State of registration, determine the ranking in relation to other registered mortgages, „hypothèques“ and charges.

EST When a ship is encumbered with several maritime mortgages, their ranking is determined by the chronology of the entries on the principle that a ship mortgage entered earlier stands before others.

5. Limitation of liability:

Claims subject to limitation of liability:

LAT

Ship owners (charterer, manager, operator) and salvors can limit their liability with regard to claims related to:

- loss of human life or damage to human health, destruction of or damage to property if it occurred on board ship or is directly related with operation of a ship or with salvage operations;
- losses arising from delays in carrying passengers or their luggage;
- losses arising from wrongful acts (delicts);
- recovery, disposal, destruction or rendering harmless of a sunk, damaged, stranded or abandoned ship;
- disposal, destruction or rendering harmless of a ship's cargo;
- all other claims related to losses underlying the above claims.

It is not permissible to limit liability for losses which occurred due to action or inaction intended to cause those losses or where those losses have not been avoided out of negligence.

LIT

Ship owners (charterer, manager, operator) and salvors can limit their liability with regard to claims related to:

- loss of human life or damage to human health, destruction of or damage to property, if it occurred on board a ship or is directly related with operation of a ship or with salvage operations;
- losses arising from delays in carrying passengers or their luggage;
- losses arising from wrongful acts (delicts);
- recovery, disposal, destruction or rendering harmless of a sunk,

damaged, stranded or abandoned ship;

- disposal, destruction or rendering harmless of a ship's cargo;
- all other claims related to losses underlying the above claims.

It is not permissible to limit liability for losses which occurred due to action or inaction intended to cause those losses or where those losses have not been avoided out of negligence.

EST

Claims for which the liability of ship-owners (owners, charterers, managers, and operators) and pilots can be limited correspond to those listed in the Convention on Limitation of Liability for Maritime Claims of 19 November 1976 as amended by the Protocol of 2 May 1996.

Liability of captains, crew members, and other persons working for the ship-owner or charterer as well as for whom the ship-owner is responsible may be limited, if the damage was caused in connection with performing their duties.

A person liable cannot limit their liability if it is proved that loss resulted from their personal act or omission committed with intent to cause such loss, or recklessly and with knowledge that such loss would probably result.

6. Ship arrest:

Applicable international conventions:

LAT/LIT/EST Latvia and Lithuania have ratified the Brussels Convention on the Arrest of Sea-Going ships of 10 May 1952. Latvia and Estonia have ratified the International Convention on the Arrest of Ships of 12 March 1999.

Grounds for arrest:

- LAT** A ship can be arrested in order to secure one of the maritime claims listed in the Latvian Maritime Act. This list of maritime claims corresponds to the list of maritime claims contained in the International Convention on the Arrest of Ships of 1999. Arrest is also possible to secure a claim to be adjudicated on its merits in another country.
- LIT** Claims which can be secured by ship arrest correspond to those listed in the Brussels Convention on the Arrest of Sea-Going ships of 10 May 1952.
- EST** Claims which can be secured by ship arrest correspond to those listed in the International Convention on the Arrest of Ships of 12 March 1999. A ship can be arrested on the basis of a maritime claim under the Law of Maritime Property Act. A ship arrest as a precautionary measure is subject to civil procedure, taking into account the specificities of the Law of Maritime Property Act.

7. Carriage of goods by sea:

Applicable international conventions:

- LAT** Latvia is a party to such international instruments as the International Convention for the Unification of Certain Rules of Law relating to Bills of Lading of 1924 (the Hague-Visby Rules) and the Convention on the Contract for the International Carriage of Goods by Road of 1956. Latvia is not a party to such international instruments as the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea of 2008 (the Rotterdam Rules), or to the United Nations International Convention on the Carriage of Goods by Sea of 1978 (Hamburg Rules).
- LIT** Lithuania is a party to the International Convention for the Unification of Certain Rules of Law relating to Bills of Lading of 1924 (the Hague-Visby Rules), the Convention on Contracts for the International Carriage of Goods by Road of 1956.
- EST** With regard to carriage of goods by sea, the following conventions are applicable:
- Convention Concerning Minimum Standards in Merchant Ships of 1976;
 - Athens Convention Relating to the Carriage of Passengers and Their Luggage by Sea of 1974.

8. Jurisdiction and dispute settlement:

Jurisdiction:

- LAT** Unless otherwise agreed by the parties, courts of general jurisdiction are responsible for maritime disputes. Court proceedings are governed by procedural rules laid down in the Latvian Civil procedure code.
- LIT** Courts of general jurisdiction are responsible for maritime disputes. Court proceedings are governed by procedural rules laid down in the Lithuanian Code of Civil Procedure.
- EST** If the parties have not agreed otherwise, disputes are settled in general courts. Court proceedings are governed by the procedural rules set out in procedural laws.

Recognition and enforcement of foreign judgments:

- LAT** Foreign judgements are recognised and enforced under the Latvian Civil procedure law, as well as Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels I Regulation) and the New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards.
- LIT** Foreign judgements are recognised and enforced under the Lithuanian Code of Civil Procedure, as well as Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels I Regulation) and the New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards.
- EST** The Estonian Code of Civil Procedure applies to recognition and enforcement of court judgments and other enforcement instruments in civil proceedings by Member States of the

European Union only to the extent that EU Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters and other European Parliament and Council Regulations do not stipulate otherwise.

Limitation periods:

LAT The following limitation periods apply:

- for enforcing a maritime lien – 1 year;
- for enforcing a collision claim – 2 years;
- for enforcing pollution claims – 3 years;
- for enforcing cargo and passenger claims – 1 year;
- for enforcing salvage claims – 2 years;
- for breach of contract – 10 or 3 years;
- for liability in tort – 10 years;
- for insurance claims – 10 or 3 years.

LIT 1 year limitation period applies to:

- cargo and baggage claims (1 year term may be prolonged if the parties so agree after the ground for the claim arose);
- dispatch and demurrage payment claims;
- claims arising from ship chartering, ship leasing, sea towing agreements;
- claims arising from contracts concluded by a ship's captain;

2 year limitation period applies to:

- passenger claims;
- salvage claims;
- collision claims;

Other claims are subject to the general term of prescription set out in the Lithuanian Civil Code (i.e. 10 years).

LAT

Applicable limitation periods are the following:

- cargo claims – 1 year;
- maritime liens – 1 year;
- statutory claims – 10 years;
- claims arising from a transaction – 3 years;
- liability in tort and unjust enrichment – 3 years;
- claims for loss of life, bodily injury, damage to health or deprivation of liberty – 3 years;
- insurance claims – 3 years.

9. Taxation issues:

Tonnage tax:

LAT

Shipping companies registered in Latvia for their shipping activities can choose to pay income tax either from their actual income generated by using ships or to pay a tonnage tax imposed on company income generated by operation or management of every ship engaged in international trade including supporting activities of such trade. In the latter case the State Revenue Service assigns the company the status of a tonnage tax payer for 10 years. Tonnage tax is calculated on the basis of net tonnage indicated in the ship's International Tonnage Certificate which is then multiplied by a particular income coefficient (LVL/net tonnage):

- 0,0022 - tonnage from 100 to 1000 tonnage units;
- 0,0019 - tonnage from 1001 to 10 000 tonnage units for tonnage exceeding 1000 tonnage units;
- 0,0016 - tonnage from 10 001 to 25 000 tonnage units for tonnage exceeding 10 000 tonnage units;
- 0,0007 - tonnage above 25 000 tonnage units for tonnage exceeding 25 000 tonnage units.

LIT

Shipping companies registered under the Lithuanian flag and engaged in international transportation by ship or a directly related activity can obtain Tonnage Tax payer status and pay flat rate tax based on the net tonnage ("Tonnage Tax"). Tonnage Tax is calculated according to the net tonnage of the fleet, instead of the normally applicable corporation tax.

The income coefficient expressed in LTL per net tonnage is as follows:

- tonnage from 100 to 1000 tonnage units: 3.2

- tonnage from 1001 to 10 000 tonnage units for tonnage over 1000: 2.3
- tonnage from 10 001 to 25 000 tonnage units for tonnage over 10 000: 1.5
- tonnage above 25 000 tonnage units for tonnage over 25 000: 0.92

EST

Estonia has no tonnage tax. Measurement of vessels, calculation of their tonnage and issuing tonnage certificates is generally based on the International Convention on Tonnage Measurement of 1969.

Crew taxation:

LAT

Personal income tax (PIT) and social mandatory contribution (SMC) are calculated irrespective of actual wage.

Instead any Latvian seafarer (regardless of whether employed on a ship flying the Latvian or any foreign flag) and non-resident seafarer (on a ship under the Latvian flag) must pay PIT (24% in 2013) of the leviable amount, based on the official minimum wage rate (in 2013 LVL 200=ca. EUR 285), duration of contracts in the taxation period [year], and the following ratio:

- 2.5 for masters and officers. So their max. monthly leviable amount is LVL 500 (ca. EUR 711);
- 1.5 for ratings. So their max. monthly leviable amount is LVL 300 (ca. EUR 427)

SCP (11% by employee, 24.09% by employer) is imposed to the same taxable amount as for PIT. Latvian SCP applies only to seafarers employed on a ship operated by a Latvian company.

LIT

Personal income tax (PIT) and State Social Security Contributions (SOD-RA Contributions) are calculated irrespective of actual wage.

The current overall rate for the Employer's SODRA Contributions is 30.98% of the Employee's monthly salary (tax included). The employee's part of SODRA Contributions amounts to 9% of the Employee's monthly salary (tax included). According to the principle of labour loci SODRA Contributions apply to seafarers working in Lithuanian ships. Seafarers' income is subject to personal income tax (PIT) the rate of which is 15 %. Under Lithuanian law, a seafarer can be exempted from PIT if the following conditions are met:

1. a person is a seafarer employed on a ship registered in the ship register of a member state of the EEA;
2. remuneration is received for working on board;
3. income is received for work performed during a voyage.

EST

All taxes prescribed by Estonian employment law are applicable both to crew members and to regular employees under employment contracts, i.e. social tax 33%, unemployment insurance contribution 2%, personal income tax 21%, and funded pension contribution 2%.

10. Labour law issues:

- LAT** Only a ship-owner or a bareboat charterer may have the status of an employer on ships under the Latvian flag. Compared to regular employees, seafarers have the following specific employment provisions:
- Minimal age of employees- 16 years
 - Maximal working time- 14 hours daily, 72 hours weekly.
 - Minimal rest time- 10 hours daily, 77 hours weekly. Daily rest time may be divided in two parts, one of which must be at least 6 hours.
 - 30 days annual paid vacation
 - Work during weekends may be reimbursed by additional paid vacation instead of salary.
 - For work during public holidays salary plus additional paid vacation are provided.
- LIT** The Lithuanian Parliament recently ratified the ILO Maritime Labour Convention (the MLC) of 2006 (to take effect on 20 August, 2013) which consists of sixteen articles containing general provisions as well as the Code. Under the MLC seafarers have specific employment provisions such as minimum age requirements (16 years), medical fitness requirement, rest hours requirement, etc. The MLC will come into force for Lithuania 12 months from the day of registration of ratification documents.
- EST** The law governing employment relationships applies to crew members of vessels registered in the Estonian shipping register or in the register of bareboat chartered ships with specifications provided by the Seafarers Act. Parties to a maritime employment contract are the crew member

and the ship owner. Exceptionally, with permission of the ship owner, a contract for a period up to 4 months can be concluded by the captain. A maritime employment contract must include at least the following information:

- parties to the contract, incl. personal data and ID number of the crew member;
- date and place of conclusion of the contract;
- time and place of starting work;
- termination date, if concluded for a fixed term;
- the first ship on which the crew member is to be employed;
- occupation and job description or reference thereto;
- rate of pay, bonuses, basis of salary calculation + time and method of payment;
- working hours;
- annual leave and basis for calculation of holiday pay;
- termination notice periods;
- parties' signatures.

Compared to a traditional employment relationship, a maritime employment contract has the following differences:

- salary is paid to crew members at the end of each month, unless a shorter period or other date is agreed or specified by law, contract or collective agreement;
- 35 calendar days annual paid holidays;
- summarised working time for a period up to 6 months;
- maximal working time – 12 hours daily and 60 hours weekly if summarised working time applies;
- maximal overtime work – 6 hours daily where working time including overtime may not exceed 14 hours daily and 72 hours weekly;

- daily rest time may be divided into two parts, one of which must be at least 6 hours and the time between two parts must not exceed 14 hours;
- no special compensation for night work;
- special regulation on gross breach of duties;
- if a crew member is entitled to terminate a maritime employment contract, the ship-owner must be notified 5 days in advance and compensation of two months' average salary must be paid to the crew member.

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