

European, Red Ensign and other flag Employers' Liability requirements

COUNTRY	MANDATORY EL 1. Commercial 2. Private	FINANCIAL MINIMUM	INSURER REQUIREMENT	MISCELLANEOUS
EUROPE				
UK	1. Yes 2. Yes	£5,000,000 sterling	UK companies and friendly societies, and Lloyd's, being authorised under Pt 4 FSM Act 2000; P&I Clubs	All UK employers carrying on business in the UK Yachts operating within UK waters Employees present in the UK (in the course of employment) for more than 14 days Insurers may decline cover if breach of warranty etc Injury/disease arising in the UK.
Denmark	1. Yes 2. Yes	- -	Registered in Denmark EL normally placed with hull insurance, or via Accident Insurance Union for Danish Seafarers	Danish-flagged yachts All employees in Denmark Mandatory even for unpaid employees Insurers cannot decline cover if breach of warranty
France	1. Yes 2. Yes	Dependent on salary, size of the vessel, type of job etc	DENIM - state body	French-flagged yachts Employed crew under French law employment agreement Insurers may decline cover if wilful misconduct
Greece	1. Yes 2. Yes	Dependent on yacht's spec. (size/engines)	IKA/NAT – state bodies	Greek-flagged yachts
Holland	1. No 2. No	Although cover is not compulsory, it is recommended by the registry.		
Italy	1. Yes 2. Yes	Sufficient to provide for full compensation for all losses incl. loss of earnings	INAIL – state body: covers Italian employees Non-Italian insurers cannot cover Italian employees	Italian-flagged yachts Employed crew under Italian law crew agreement
Portugal	1. Yes 2. Yes	Maintenance and care must be covered to a minimum of €250,000.	Registered In Portugal There are no Portuguese P&I Clubs	All employees (regardless nationality) Yachts in territorial waters Employed crew under employment agreement
Spain	1. Yes 2. Yes	Dependent on salary, type of job	Public Welfare System for employees under crew agreement Public Welfare System and/or Private Insurers for independent employees	Yachts owned by Spanish companies/individuals operating within Spanish waters All employees in Spain (regardless nationality) Employed crew (under crew agreement): employer's obligation Self-employed crew: employee's obligation
Switzerland	1. Yes 2. Yes	80% of employee's income; after 2 years an additional 10% Cover may be reduced for gross negligence or wilful misconduct	Commercial yachts: cover provided by Swiss Accident Insurance Institute Must be approved by the Swiss Government	All employees in Switzerland (regardless nationality)

RED ENSIGN

BVI	1. No 2. No	Although EL is not required, it is recommended, especially for commercially registered vessels. Figure will depend on value of vessel.		
Cayman Islands	1. Yes 2. No	P&I cover is required for both. The Registry recommends that cover should be in line with UK minimum. The Maritime Labour Convention 2006 when ratified is expected to officially close the gap between UK and Cayman.		
Gibraltar	1. Yes 2. Yes	UK minimum of £5,000,000 suggested by Registry. Must also have P&I cover.		Employment injuries insurance legislation applies to all employees on board a Gibraltar flagged vessel. Also applies where employer/owner has place of business in Gibraltar or the contract of employment was entered into in Gibraltar.
Guernsey	1. Yes 2. Yes	£2,000,000 sterling but waiting to be updated and will probably be increased to £5,000,000 sterling.	Government authorised	Applies to injuries and diseases sustained in Guernsey Only for Guernsey-nationals EL not required when employee is employer's relative For all employees under any formal employment agreement

OTHER				
Antigua/Barbuda	1. Yes 2. No (small craft – less than 200 tons)	Dependent on size, area of operation and no. of passengers	No restrictions	Only "for dangerous operations". Third party liability insurance also required.
Bahamas	1. No 2. No	No requirement for specific EL insurance, however shipowners are liable for health and safety of seafarers, so it is recommended.		
Barbados	1. Yes 2. Yes	Specific Employer's liability insurance not required, however P&I insurance is required for both.		
Panama/Belize	1. Yes 2. Yes	- -	Commercial yachts operating within territorial waters: State EL cover Commercial yachts operating outside territorial waters: scale levels of cover, incl. 26 weeks' benefit, medical and full maintenance Private yachts operating within territorial waters: crew registered under Panama/Belize National Insurance System	All employees
Malta	1. Yes 2. Yes		Insurance must be provided by an insurer approved by the Registrar General.	Insurance to cover medical expenses and compensation for being unable to work again.
Marshall Islands	1. Yes 2. No	P&I cover on customary terms		
St Vincent & the Grenadines	1. Yes 2. Yes	Specific Employer's liability insurance not required, however P&I insurance is required for both.		EL requirement for commercial vessels is discretionary
Turkey	1. Yes 2. No	-	Registered in Turkey Foreign insurers operate through a branch	Yachts owned by Turkish entities All employees under any formal agreement Insurers can deny cover if breach of warranty

Important Note: This document is intended to provide only an overview of the key provisions. Please request advice on specific issues or refer to source or other statutory provisions for full guidance.