



European  
Social  
Charter

Charte  
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13/03/2019

RAP/RCha/NOR/16(2019)

## **EUROPEAN SOCIAL CHARTER**

16<sup>th</sup> National Report on the implementation of  
the European Social Charter  
submitted by

**THE GOVERNMENT OF NORWAY**

Follow-up to collective complaint No. 74/2011

Report registered by the Secretariat on  
13 March 2019

**CYCLE XXI-4 (2019)**



Simplified report on the follow-up relating to the collective complaint *Fellesforbundet for Sjøfolk (FFFS) v. Norway, Complaint No. 74/2011* of 2 July 2013.

### **Previous report**

Reference is made to previous report on the follow up of this case submitted on 16 December 2015. Further reference is made to Norway's 15<sup>th</sup> report of 11 April 2018 which includes information on the Norwegian social insurance scheme, including the right to old-age pension.

### **New information**

The committee requests information on the issues of the age limits in the Maritime Labour Act of 2013.

The age limit of 70 years was put in place with the adaptation of the Maritime Labour Act in 2013. At that time the corresponding age limit in the Working Environment Act.

The justification for the adaptation of a age limit of 70 years was that the old age limit of 62 years was not justified, and had to be eliminated. The decision was made to put in place a limit of 70 years as it would make the age limit in the Maritime Labour Act the same as for the rest of the general work force in Norway. The intention was to harmonize the Maritime Labour Act with the Working Environment Act.

There was no need for a special consideration on what grounds could justify this limit as the limit in the Working Environment Act had been the same for several years. It is generally considered that the age limits in Norway is within the limits of anti-discrimination on the basis of age. This assessment is made taking into consideration the systems of benefits workers are entitled to as they reach the age limit. The government has provided extensive information on this topic in previous reports to the committee.

The committee is correct in that there has been made changes to the age limit for the protection against dismissal on the grounds of age in the Working Environment Act. In 2015 the general age limit was raised to 72 years.

There has not yet been considered to raise the age limit in the Maritime Labours Act , but it is possible that this will be included in an upcoming evaluation of certain age limits in the labour market.