Updates

October 2010 consolidation includes:

- May 2009 version plus Notice No. 1
Foreword

The International Labour Organization (ILO) is the United Nation’s (UN) specialized tripartite agency which brings together governments, employers and workers of its member states in common action to promote decent work conditions throughout the world.

Within the maritime sphere, the ILO provides legal instruments aimed at protecting and improving seafarers’ working conditions, the most recent being the International Labour Organization Maritime Labour Convention, 2006 (the Convention) which was adopted during the 94th Session of the ILO on February 23, 2006. The Convention provides the, as yet, most comprehensive code regarding seafarers’ rights, and the obligations of States and shipowners with respect to these rights. The Convention incorporates the fundamental principles of many ILO Conventions and brings together and updates standards of 68 existing ILO instruments (Conventions and Recommendations) into one document.

These ABS Guidance Notes on the ILO Maritime Labour Convention, 2006 are intended to assist shipowners and operators to understand the requirements of the Convention and provide relevant examples for addressing these requirements within a company’s management system. These Guidance Notes include:

- Background on the development of the Convention and an explanation of its structure
- Text of Regulations and mandatory requirements (Part A of the Convention) addressed in the 14 areas of the maritime standards or shipowner’s procedures and/or processes listed in the Declaration of Maritime Labour Compliance (DMLC)
- Summary of various methods of achieving compliance with each requirement (Regulation and Code, Part A), considering the elements of Part B and supplemented, when necessary, by guidance based on ABS’ interpretation of the intent of the Part A requirements.
- Examples of manuals and procedures that the shipowner could develop, together with associated records related to the Convention
- Example of a completed DMLC, Part II

The body of these ABS Guidance Notes is structured as a set of informational blocks. As illustrated in Figure 1, the first block of each set identifies the Standards (Part A) of the Code, which is the mandatory section of the Convention. The next block contains methods to achieve compliance, which includes guidance from Part B of the Code, and supplementary ABS guidance. The guidance provided by ABS is ABS’ interpretation of Part A and is intended solely for supplemental interpretation purposes. This information should not be treated as, or relied on as, an authority with regard to this subject matter. The last two blocks in the set contain examples of types of procedures and records to demonstrate compliance with the Regulations.
FIGURE 1
Structure of the Guidance for Each Standard

<table>
<thead>
<tr>
<th>TITLE #</th>
<th>Any of the Five Titles that Compose the Maritime Labour Convention</th>
</tr>
</thead>
<tbody>
<tr>
<td>STD. 1.1.1</td>
<td>Any of the Provisions or Standards within each Regulation</td>
</tr>
</tbody>
</table>

**Mandatory**

This block is a textual copy of Part A of the standard cited above (in this case 1.1.1).

**Methods to Achieve Compliance**

Provides guidance to the shipowner to achieve compliance with the Mandatory provision or standard cited above. Relevant guidance given in Part B of the Code may be included in this section in addition to suggestions put forth by ABS.

**Sample Procedures**

Gives examples of procedures that the shipowner could develop and implement as part of its labor management system to facilitate compliance with the Convention.

**Sample Records**

Gives examples of records that the shipowner could consider keeping in order to demonstrate compliance.

ABS offers these Guidance Notes to the maritime industry as a tool intended to assist in developing, implementing, and maintaining marine labor management practices on board all applicable vessels worldwide in accordance with the requirements of the Maritime Labour Convention.

Guidance on the assessment criteria and measurement methodology for obtaining the optional ABS Maritime Labour Convention (MLC) Accommodation (ACCOM) notation (MLC-ACCOM) is provided in the ABS Guide for Compliance with the ILO Maritime Labour Convention, 2006 Title 3 Requirements.
GUIDANCE NOTES ON
THE ILO MARITIME LABOUR CONVENTION, 2006

CONTENTS

SECTION 1  Introduction ................................................................. 1
  1  Background ........................................................................... 1
    1.1  Purpose ........................................................................... 1
    1.2  Applicability ................................................................. 1
    1.3  Objectives ....................................................................... 2
    1.4  The International Labour Organization (ILO) ................... 2
    1.5  Maritime Labour Convention, 2006 ............................ 2
    1.6  Convention Makeup .......................................................... 3
    1.7  Declaration of Maritime Labour Compliance (DMLC) and the Maritime Labour Certificate ......................................................... 3
    1.8  Shipowner Requirements ............................................... 5
    1.9  Certification ....................................................................... 6
    1.10  Flag State Inspections and the Convention ............... 8
    1.11  Port State Control and the Convention .............................. 8
    1.12  ILO Guidelines for Flag State Inspections and for Port State Control Officers Carrying Out Inspections under the Convention .................. 10

FIGURE 1  Interrelation between the Convention, the Shipowner’s Labor Management System, and the Declaration of Maritime Labour Compliance (DMLC) .............................................................. 5

FIGURE 2  Certification Process Flowchart .............................. 7

SECTION 2  Guidance Notes on the ILO Maritime Labour Convention, 2006 ................................................................. 11
  1  Structure of these Guidance Notes ...................................... 11
  2  References and Examples in these Guidance Notes .......... 11
  3  Exclusions from these Guidance Notes ............................... 12

TABLE 1  Convention Areas Subject to Flag State Certification and/or Inspection ................................................................. 13
SECTION 3  Maritime Labour Convention Titles and Guidance .......... 15

1  Guidance for Each Regulation..................................................15
   1.1 Detailed Index of Guidance for Each Regulation.............. 15

FIGURE 1  Structure of the Guidance for Each Standard.......... 16

TITLE 1: Minimum Requirements for Seafarers to Work on a Ship ... 17
   REG. 1.1 Minimum age ................................................... 17
   REG. 1.2 Medical certificate ............................................. 22
   REG. 1.3 Training and qualifications ................................... 33
   REG. 1.3 Training and qualifications ................................... 34
   REG. 1.4 Recruitment and placement ................................... 35
   References .......................................................................... 52

TITLE 2: Conditions of Employment.............................................. 53
   REG. 2.1 Seafarers’ employment agreements ......................... 53
   REG. 2.2 Wages ............................................................... 63
   REG. 2.3 Hours of work and hours of rest ............................ 72
   REG. 2.7 Manning levels ................................................... 87
   References .......................................................................... 91

TITLE 3: Accommodation, Recreational Facilities, Food and Catering ......................... 92
   REG. 3.1 Accommodation and recreational facilities .............. 92
   REG. 3.2 Food and catering .............................................. 121
   References ........................................................................ 130

TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection .......... 131
   REG. 4.1 Medical care on board ship and ashore .................. 131
   REG. 4.3 Health and safety protection and accident prevention ...... 140
   References ........................................................................ 158

TITLE 5: Compliance and Enforcement ......................................... 161
   REG. 5.1.5 Flag State responsibilities – On-board complaint procedures ....... 161
   References ........................................................................ 166

SECTION 4  Additional Guidance to Regulation 3.1: Accommodation and Recreational Facilities ................................................. 167

1  Accommodation and Recreational Facilities ......................... 167
   1.1 Labor Management System versus Engineering Design Requirements .................................. 167
   1.2 Engineering Design Requirements for Accommodations and Recreational Facilities ......... 168
   1.3 References .................................................................... 193

   TABLE 1  General Items Checksheet ................................. 169
   TABLE 2  Berthing Requirements Checksheet .................. 174
   TABLE 3  Vibration/Noise Requirements Checksheet ........ 179
TABLE 4  Food Service Areas (Mess) Requirements Checksheet .........................................................181
TABLE 5  Sanitary Spaces Requirements Checksheet .................183
TABLE 6  Lighting Requirements Checksheet .................................186
TABLE 7  Ventilation/Heating Requirements Checksheet ............187
TABLE 8  Recreation Requirements Checksheet .................................188
TABLE 9  Laundry Requirements Checksheet .............................190
TABLE 10  Medical Requirements Checksheet .................................191

SECTION 5  Inspection without Certification .............................195
1  Mandatory Inspection Requirements within the Convention..............195

TITLE 2: Conditions of Employment ........................................196
REG. 2.4  Entitlement to leave ..................................................196
REG. 2.5  Repatriation ..............................................................199

TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection ...................................................204
REG. 4.2  Shipowners’ liability ...................................................204
REG. 4.5  Social security ...........................................................208

TITLE 5: Compliance and Enforcement ......................................211
REG. 5.1.1  Flag State responsibilities – General principles ...........211

APPENDIX 1  Example, Declaration of Maritime Labour Compliance (DMLC) .................................................................213
1  Declaration of Maritime Labour Compliance – Part I ..............213
2  Declaration of Maritime Labour Compliance – Part II ........216

APPENDIX 2  Example, Maritime Labour Certificate ...................223

APPENDIX 3  Examples of Procedural Topics Shipowners May Consider for Implementing the Requirements of the Maritime Labour Convention, 2006 ..................................227
1  Company Manuals and Procedures ..................................227

APPENDIX 4  Definitions ...............................................................231
1  Definitions .................................................................231

APPENDIX 5  Abbreviations and Acronyms .................................239
APPENDIX 6  Cross-references Between Maritime Labour Convention 
and Selected Flag State Regulations ............................... 241

1  Background................................................................. 241
1.1  Purpose...................................................................... 241

Regulation 1.1  Minimum age ................................................. 242
Regulation 1.2  Medical certificate .......................................... 244
Regulation 1.3  Training and qualifications ........................... 246
Regulation 1.4  Recruitment and placement ........................... 252
Regulation 2.1  Seafarers’ employment agreements ............ 255
Regulation 2.2  Wages.......................................................... 260
Regulation 2.3  Hours of work and hours of rest .................... 264
Regulation 2.4  Entitlement to leave ...................................... 266
Regulation 2.5  Repatriation .................................................. 267
Regulation 2.7  Manning levels ............................................. 270
Regulation 3.1  Accommodation and recreational facilities .... 273
Regulation 3.2  Food and catering .......................................... 276
Regulation 4.1  Medical care on board ship and ashore .......... 278
Regulation 4.2  Shipowner’s liability ....................................... 282
Regulation 4.3  Health and safety protection and accident 
prevention........................................................................ 284
Regulation 4.5  Social security ............................................... 291
Regulation 5.1.1  General principles ......................................... 293
Regulation 5.1.5  Flag State responsibilities – On-board 
complaint procedures ....................................................... 296
SECTION 1 Introduction

1 Background

1.1 Purpose
The purpose of these ABS Guidance Notes on the ILO Maritime Labour Convention, 2006 is to assist shipowners and operators in understanding the requirements contained within the International Labour Organization’s Maritime Labour Convention, 2006 (the Convention) and provide relevant examples for incorporating these requirements into a company’s management system (MS). In some cases, if the shipowner has delegated responsibility for operation of the ship to another company, that company is then responsible for maintaining and complying with the requirements of the Convention. In these Guidance Notes, shipowner and company are to be considered synonymous.

1.2 Applicability
Except as expressly provided otherwise, this Convention applies to all ships (and the seafarers on that ship), whether publicly or privately owned, ordinarily engaged in commercial activities. It defines a seafarer as any person who is employed or engaged or works in any capacity on board a ship. The Convention does not apply to ships engaged in fishing or in similar pursuits; ships which navigate exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas where port regulations apply; and ships of traditional build such as dhows and junks. The Convention does not apply to warships or naval auxiliaries. [Article II, paragraph 4]

In the event of doubt as to whether this Convention applies to a ship or particular category of ships, the question shall be determined by the competent authority in each ILO Member State after consultation with the shipowners’ and seafarers’ organizations concerned. [Article II, paragraph 5]

Where the competent authority determines that it would not be reasonable or practicable at the present time to apply certain details of the Code referred to in Article VI, paragraph 1, to a ship or particular categories of ships flying the flag of the Member, the relevant provisions of the Code shall not apply to the extent that the subject matter is dealt with differently by national laws or regulations or collective bargaining agreements or other measures. Such a determination may only be made in consultation with the shipowners’ and seafarers’ organizations concerned and may only be made with respect to ships of less than 200 gross tonnage not engaged in international voyages. [Article II, paragraph 6]

The Regulations and the provisions of Part A of the Code are mandatory. The provisions of Part B of the Code are not mandatory. [Article VI, paragraph 1]
1.3 Objectives
The objectives of these Guidance Notes are as follows:

i) Summarize the background development and give an explanation of the makeup of the Convention.

ii) Identify certification requirements and other shipowner obligations.

iii) List the text of regulations and mandatory requirements (Part A of the Convention) addressed in the 14 areas of the maritime standards or shipowner’s procedures and/or processes listed in the Declaration of Maritime Labour Compliance (DMLC).

iv) Suggest various methods of achieving compliance with each Regulation, considering the guidance contained in Part B of the Code.

v) Suggest types of manuals and procedures that the shipowner could develop, together with associated records, to demonstrate compliance with this Convention.

vi) Provide an example of a completed DMLC, Part II.

vii) Identify the five Regulations and mandatory Part A requirements in which inspections must be carried out, in addition to the inspection and certification requirements in the 14 parts of the DMLC as part of the entire certification process.

viii) Summarize flag State and port State control responsibilities and potential actions under the Convention.

1.4 The International Labour Organization (ILO)
The International Labour Organization (ILO) is the United Nation’s (UN’s) specialized tripartite agency which brings together governments, employers and workers of its member States in common action to promote decent work conditions throughout the world. The ILO was founded in 1919 and is the only surviving major creation of the Treaty of Versailles which brought the League of Nations into being. It became the first specialized agency of the UN in 1946.

The ILO develops international labor standards in the form of Conventions and Recommendations, setting minimum standards of basic labor rights: freedom of association, the right to organize, collective bargaining, abolition of forced labor, equality of opportunity and treatment, and other standards regulating conditions across the entire spectrum of work-related issues.

The ILO promotes the development of independent employer and workers’ organizations and provides training and advisory services to those organizations. Within the UN system, the ILO has a unique tripartite structure with workers and employers participating as equal partners with governments.

The ILO is the principal representative of the member governments of the organization. The International Transport Workers Federation (ITF) is the principal entity representing seafarer trade unions. The International Shipping Federation (ISF) is the principal entity representing the shipowners.

1.5 Maritime Labour Convention, 2006
The United Nations Convention on the Law of the Sea, 1982 sets out a general legal framework within which all activities in and on the oceans and seas must be carried out and also establishes the duties and obligations of a flag State with regard to, inter alia, labor conditions, crewing, and social matters on ships that fly its flag.
The ILO evaluated the following international standards on ship safety, human security, and quality ship management when developing this Convention:

- International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS),
- Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended (COLREGS), and

The Convention was unanimously adopted by ILO delegates at the 94th Session on February 23, 2006 with a total of 314 votes; there were a total of 106 countries involved. Two countries abstained from voting for reasons other than the substance of the Convention. The Convention incorporates the fundamental principles of eight ILO Conventions and updates and consolidates standards of 68 instruments (Conventions and Recommendations) into one document.

This ILO Convention, along with SOLAS, STCW, and MARPOL (International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto) establish the four cornerstones of maritime regulations.

1.6 Convention Makeup

The Convention is comprised of three different but related parts: the Articles, the Regulations, and the Code. The Articles and Regulations set out the core rights and principles and the basic obligations of Members ratifying the Convention. The Code contains the details for the implementation of the Regulations. The Code comprises Part A (mandatory Standards) and Part B (non-mandatory Guidelines). Amendment procedures for the Articles, Regulations, and the Code are established in Article XIV and XV.

The Regulations and the Code are organized into general areas under five Titles:

- Title 1: Minimum requirements for seafarers to work on a ship
- Title 2: Conditions of employment
- Title 3: Accommodation, recreational facilities, food and catering
- Title 4: Health protection, medical care, welfare, and social security protection
- Title 5: Compliance and enforcement

Each Title contains groups of provisions relating to a particular right or principle (or enforcement measure in Title 5), with connected numbering. The first group in Title 1, for example, consists of Regulation 1.1, Standard A1.1 and Guideline B1.1, relating to minimum age.

The Convention has three underlying purposes:

i) To lay down, in its Articles and Regulations, a firm set of rights and principles;

ii) To allow, through the Code, a considerable degree of flexibility in the way Members implement those rights and principles; and

iii) To ensure, through Title 5, that the rights and principles are properly complied with and enforced.

1.7 Declaration of Maritime Labour Compliance (DMLC) and the Maritime Labour Certificate

Two important terms to note within the Convention are the Declaration of Maritime Labour Compliance (DMLC) and the Maritime Labour Certificate. The Maritime Labour Certificate is the demonstration that the ship meets the requirements of the Convention and that the seafarer’s working and living conditions meet national requirements.
The DMLC is a unique form that must be completed by both the competent authority in the flag State and the shipowner as Parts I and II, respectively:

- Part I, drawn up by the competent authority in the flag State, identifies the list of matters to be inspected, the relevant national requirements, ship-type specific requirements under national legislation, any substantially equivalent provisions, and any exemption granted by the competent authority.
- Part II, drawn up by the shipowner, identifies the measures adopted to provide for initial and ongoing compliance with the national requirements and the measures proposed to encourage continuous improvement.

The competent authority or Recognized Organization (RO), duly authorized for this purpose, shall review above measures drawn up by the shipowner, and following a successful inspection of the ship, certify DMLC Part II and endorse it.

Each Part consists of 14 general areas related to the working and living conditions of seafarers that the competent authority and the shipowner must address within the DMLC. Appendix A5-II of the Convention contains sample blank forms of the Maritime Labour Certificate and the DMLC.

The 14 general areas that must be addressed in the DMLC are as follows:

1. Minimum age (Regulation 1.1)
2. Medical certification (Regulation 1.2)
3. Qualifications of seafarers (Regulation 1.3)
4. Seafarers’ employment agreements (Regulation 2.1)
5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)
6. Hours of work or rest (Regulation 2.3)
7. Manning levels for the ship (Regulation 2.7)
8. Accommodation (Regulation 3.1)
9. On-board recreational facilities (Regulation 3.1)
10. Food and catering (Regulation 3.2)
11. Health and safety and accident prevention (Regulation 4.3)
12. On-board medical care (Regulation 4.1)
13. On-board complaint procedures (Regulation 5.1.5)
14. Payment of wages (Regulation 2.2)

Section 1, Figure 1 depicts the relationship between the Convention, the ILO Member country whose flag is carried by the ship, the shipowner’s labor management system, and the Declaration of Maritime Labour Compliance (DMLC).
1.8 **Shipowner Requirements**

Each ship shall carry a copy of the Convention on board and be issued a Maritime Labour Certificate and a complementary Declaration of Maritime Labour Compliance (DMLC). These certificates are to be posted in English and may be in other languages.

The Convention establishes international minimum requirements for employment conditions which are validated through ship inspections. The Maritime Labour Certificate is accepted as prima facie evidence for port State control that the shipowner has met the requirements of the Convention. Ships without a Maritime Labour Certificate will be subject to greater scrutiny by port State control.

The shipowner is responsible for identifying and addressing the flag State regulations relevant to the requirements of the Convention in the DMLC Part II, as applicable. Means of monitoring these regulations should be established so that applicable changes result in pertinent revisions to the DMLC Part II.

The shipowner should consider establishing an efficient means of maintaining records relevant to the Convention. Records may be in hard copy or electronic format and means should be established to ensure that data is not lost or destroyed. Record retention should be established in accordance with shipowner requirements or competent authority in the flag State regulations, whichever is more stringent.
1.9 Certification

Shipowners are required to implement the requirements of the Convention and obtain a Maritime Labour Certificate and a DMLC for each of their ships as identified in Title 5 (Compliance and Enforcement), Regulation 5.1.3 (Maritime Labour Certificate and Declaration of Maritime Labour Compliance), paragraph 1 as follows.

This Regulation applies to ships of:

i) 500 gross tonnage or over, engaged in international voyages; and

ii) 500 gross tonnage or over, flying the flag of a Member and operating from a port, or between ports, in another country.

Shipowners with ships that do not meet the above requirements may voluntarily request certification as noted in paragraph 2 of the same Regulation. The Maritime Labour Certificate is valid for five years with an intermediate inspection required between the second and third year of the anniversary date of the certificate. Port State control inspections may result in a ship being detained if it is determined that violations affect the health and safety of the crew or a serious breach of Convention requirements has occurred.

Interim Maritime Labour Certificates may be obtained whenever there is a change of shipowner, change of Flag, or if a ship has been substantially altered. A DMLC is not issued in conjunction with an interim Maritime Labour Certificate. Interim certificates are valid for six months.

Each Member of ILO “shall verify, through an effective and coordinated system of regular inspections, monitoring and other control measures, that ships that fly its flag comply with the requirements of this Convention as implemented in national laws and regulations” (Regulation 5.1.4). Classification societies, as ROs, may provide inspection services on behalf of the Members. A flowchart of the certification process carried out by the flag State or the RO, is presented in Section 1, Figure 2.

For ships that are not required to be certified, there will not be a Maritime Labour Certificate or a DMLC Part II issued. Those ships, however, will still be subject to inspection in the same areas of the Maritime Labour Convention as certified ships. Refer to Article II, paragraph 4 of the Convention as noted in paragraph 1.2 of these Guidance Notes.
FIGURE 2
Certification Process Flowchart
(Activities Carried Out by Flag State or Recognized Organization)

Onshore Activity, Prior to Shipboard Attendance

Review of DMLC Part II against Part I

Inspect compliance with the Convention
Inspect working and living conditions

Endorse DMLC Part II

Issue Maritime Labour Certificate

Shipboard Activity
1.10 Flag State Inspections and the Convention

Regulation 5.1.3 of the Convention stipulates that ships must be inspected and certified with the 14 areas of seafarers’ working and living conditions noted on the DMLC. Other aspects of the Convention are also subject to inspection without certification by the flag State inspector or RO. For ships that are not required to be certified, the flag State still must verify compliance with all the same requirements as a certified ship. Refer to paragraph 1.9 of these Guidance Notes for certification requirements.

The flag State must ensure that the requirements of the Convention are covered by national legislation. Reference to this legislation is to be documented in Part 1 of the DMLC. Any equivalencies or exemptions established by the flag State to requirements within the Convention for its ships are also to be documented in Part I of the DMLC.

Flag State inspectors may be appointed to conduct the Convention inspections. Alternatively, representatives from ROs with defined and documented authority, may be appointed to carry out some flag State tasks related to the Convention. The flag State should develop a system of inspecting, issuing, and withdrawing the Maritime Labour Certificate; responding to seafarer complaints; and responding to port State control requests for information.

The shipowner can expect the flag State, when establishing an effective system for inspection and certification to develop various documents; provide qualified inspectors; develop guidance on inspectors’ powers, status, independence, tasks, confidentiality, credentials, and reporting responsibilities; possible delegation of some aspects of the inspection system to an RO; and establishing a seafarer complaint process (see Regulation 5.1, paragraph 2).

Examples of documents include a national form of the Maritime Labour Certificate and DMLC, a standardized table for shipboard working arrangements, a standard medical certificate, and on-board medical report forms.

The flag State is responsible for making a determination, whether identified by a flag State inspector or a representative of an RO, regarding what type of enforcement action should be levied and to ensure that the action is carried out. Actions could include withdrawing the Maritime Labour Certificate and DMLC from a certified ship, detaining any ship until rectification of deficiencies, or a rectification plan is developed satisfactory to the competent authority. Depending on the characteristic of the deficiency, a ship may be detained until the deficiency is corrected or an action plan is established. A ship could be detained if an under-age person was working as a seafarer until such time as the person was repatriated and replaced. Single deficiencies in lighting may not necessarily result in detention unless there is a history of this problem or if lighting is faulty or inadequate in a number of sleeping rooms.

Other actions the flag State may consider include offering appropriate advice, refusing to endorse the Maritime Labour Certificate following an intermediate or renewal inspection, or imposing any penalties or other corrective measures specified under national law. Shipowners should be aware of the consequences defined in national legislation for failure to maintain their ships in compliance with the requirements of the Convention.

Reasonable efforts to avoid a ship being unreasonably detained are to be made. This is a requirement of the Convention in Standard A5.1.4, paragraph 15.

1.11 Port State Control and the Convention

Port State control officers are required to accept the Maritime Labour Certificate and DMLC as prima facie evidence that the ship is in compliance with the requirements of the Convention. The emphasis on the primacy of this documentation is one area where the normal port State control inspection may differ, at least initially, from other port State control inspections. For example, the normal ship walk-around to verify different areas is not permitted if the documentation is in order; however, an exception can be made for a more detailed inspection if there are “clear grounds” for further investigation. “Clear grounds” could be established during review of ship’s documents or possibly from investigation of a complaint from a seafarer or seafarers’ organization, for example.
Situations that could call for a more detailed inspection are that the required documentation (Maritime Labour Certificate and DMLC) is unavailable, falsely maintained, incomplete, or invalid; there are clear grounds for believing that working and living conditions do not conform to the Convention requirements; there are reasonable grounds to believe the ship has changed flag to avoid compliance with the Convention; or a complaint (records maintained as confidential unless otherwise clearly indicated by the complainant) is received alleging that working and living conditions on the ship do not conform to the Convention requirements. Otherwise, port State control inspections regarding the Convention would end with identifying that the Maritime Labour Certificate and DMLC are valid and complete. The ship’s master must be informed of the grounds for a more detailed inspection.

The Convention uses the term “authorized officer” to denote that in some cases, the representative conducting the port State control inspection may not necessarily be qualified as a port State control officer. An example could be a maritime labor inspector. Authority to carry out these inspections is vested by the competent authority and identified in Regulation 5.2.1, paragraph 3. Authorized officers should carry appropriate identification credentials.

Port State control inspections may review requirements of the Convention documented in the Articles, Regulations, and Part A (Standards); however, Part B (Guidelines) is not subject to inspection. In general, the inspection will only cover the 14 certifiable areas identified in the DMLC, but may review other inspectable areas of the Convention related to seafarer living and working conditions.

Deficiencies found must be brought to the master’s attention along with deadlines for rectification. If the deficiencies are considered significant by port State control, or relate to a complaint, they must be brought to the attention of the appropriate seafarers’ and shipowners’ organization in the port State in which the inspection was conducted. In addition, the port State control officer may notify a representative of the flag State and may notify the competent authority in the next port of call.

Following are examples of circumstances which could warrant detaining the ship in port either because of the seriousness of a single instance or repetition of the same deficiency.

- Any seafarer employed on board under the age of 16 years;
- Seafarers under 18 engaged in work likely to jeopardize their health or safety or in night work;
- Failure to meet the requirements of the safe manning certificate;
- Deficiencies constituting a violation of fundamental rights and principles or seafarers’ employment and social rights in Articles III and IV;
- Repeated cases of seafarers without valid medical fitness certificates;
- Seafarers on board the same ship who repeatedly are not in possession of valid seafarers’ employment agreements;
- Seafarers with agreements containing clauses denying seafarers’ rights afforded by the Convention;
- Seafarers who repeatedly are required to violate hours of work and rest regulations;
- Ventilation, air conditioning, or heating systems that are not working or are inadequate;
- Accommodation, including catering and sanitary facilities, that is unhygienic or where equipment is missing or not functioning;
- Food and drinking water are not suitable in quality and quantity for the intended voyage;
- Failure to maintain a medical guide, medicine chest, or medical equipment, as required;
- No medical doctor for passenger ships carrying 100 persons or more engaged in international voyages of more than three days;
- No seafarer is placed in charge of medical care on board;
- Regarding wages, repeated cases of non-payment, or non-payment over a significant period, or falsification of wage accounts, or more than one set of wage accounts.
Section 1 Introduction

1.12 ILO Guidelines for Flag State Inspections and for Port State Control Officers Carrying Out Inspections under the Convention

ILO has produced two complementary guideline documents on the MLC, 2006:

- ILO Guidelines for flag State inspections under the Maritime Labour Convention, 2006
- ILO Guidelines for port State control officers carrying out inspections under the Maritime Labour Convention, 2006

Even though these documents are directed to give guidance to the port State control officers and to the flag State inspectors, it may be of benefit to the shipowners to be aware of the contents of these guidelines. The ILO guidelines above are advisory in nature and do not carry the same legal status as Part B of the Convention.

Inspections on board ships will require inspectors to review documentation related expressly with national legislation. This national legislation forms the foundation upon which the inspections will be conducted. According to the Convention, the requirements pertain to all ships not otherwise exempted regardless of whether or not the ship requires mandatory certification.
SECTION 2 Guidance Notes on the ILO Maritime Labour Convention, 2006

1 Structure of these Guidance Notes

The body of these ABS Guidance Notes (Section 3) details the Regulations and the mandatory Code requirements of the Convention applicable to the shipowner. The Title and purpose are the preface to each of the Regulations. ABS guidance has been provided to supplement Part B guidance and to provide information where no Part B guidance is provided. The guidance provided by ABS is ABS’ interpretation of Part A and is intended solely for supplemental interpretation purposes. This information should not be treated as, or relied on as, an authority in regard to this subject matter.

Section 3 contains the Convention’s mandatory requirements related to the 14 areas of the DMLC, guidance on how to achieve compliance with each individual provision of the Convention (including guidance from Part B of the Convention, and supplementary ABS guidance), as well as examples of types of procedures and records that can be used to demonstrate compliance with the Regulations.

Most of the Regulations under the Convention can be complied with via management systems. However, Title 3, Regulation 3.1, “Accommodation and Recreational Facilities”, necessitates a combination of management systems and engineered provisions. Guidance on how to comply with Title 3, Regulation 3.1 via processes and procedures has been given in Section 3 of these Guidance Notes.

Section 4 provides additional guidance to assist in compliance with the engineering and design requirements for accommodation and recreational facilities set in Title 3, Regulation 3.1. The shipowner may find this section advantageous as a separate issue since most of these design requirements will only need to be addressed during ship construction or major modifications. Section 4 provides the guidance in a “checksheet” type of format.

Section 5 contains the Convention mandatory requirements not included in the 14 areas of the DMLC, but which are still subject to inspection under the Convention. Guidance given in Section 5 follows the same format as Section 3.

2 References and Examples in these Guidance Notes

Research has been conducted to provide the shipowner with various industry guidelines pertaining to the Convention. The shipowner is reminded of the ISM (International Management Code for the Safe Operation of Ships and for Pollution Prevention) Code requirement by which the safety management system enables compliance with mandatory rules and regulations together with consideration of applicable codes, guidelines, and standards recommended by the Organization, Administrations, classification societies and maritime industry organizations. Relevant references are included at the end of each Title, as appropriate.

An example of a completed DMLC, Part II, based on the Convention requirements, is included in these Guidance Notes in Appendix 1. However, shipowners should provide references to the applicable national requirements and related shipowners procedures and/or measures described elsewhere in the management system. A series of sample types of manuals and suggested procedures relevant to the Convention are provided in Appendix 3. The shipowner should consider indexing the Convention to the management system’s procedures to facilitate implementation of relevant requirements.
3  **Exclusions from these Guidance Notes**

These Guidance Notes do not address Convention Regulations that are primarily the responsibility of the Member States to enact laws on the subject matter. For example, Regulation 5.2 details responsibilities of the port State, and Regulation 5.3 details responsibilities of organizations that supply labor to the shipowners’ vessels. Shipowners shall be required to remain abreast of new and changing legislation promulgated by the Members affecting their ships.

The following regulations within the Convention do not contain inspection, or inspection/certification requirements, for the shipowner and are excluded from discussion within these Guidance Notes.

- Regulation 2.6  Seafarer Compensation for the Ship’s Loss or Foundering
- Regulation 2.8  Career and Skill Development and Opportunities for Seafarer’s Employment
- Regulation 4.4  Access to Shore-based welfare facilities
- Regulation 5.1.2  Authorization of Recognized Organizations
- Regulation 5.1.3  Maritime Labour Certificate and Declaration of Maritime Labour Compliance
- Regulation 5.1.4  Inspection and Enforcement
- Regulation 5.1.6  Marine Casualties
- Regulation 5.2.1  Inspections in Port
- Regulation 5.2.2  Onshore seafarer complaint-handling procedures
- Regulation 5.3  Labour-Supplying Responsibilities

The shipowner should, however, be familiar with the content and context of all requirements of the Convention. For example, the shipowner should be mindful of Regulation 5.1.4 regarding inspection and enforcement of the Convention requirements.

The 14 areas of the maritime standards or shipowner’s procedures and/or processes listed in the DMLC have requirements that shall be inspected and certified for applicable ships as identified in 1/1.9. In addition, there are five other Regulations of the Convention that the flag State or RO representative must inspect to verify compliance. Section 5 of these Guidance Notes provides detailed guidance on these areas. Section 2, Table 1 identifies which Regulations are subject to certification and inspection, to inspection only, or neither. For ships that are required to obtain a Maritime Labour Certificate and DMLC, the 14 sections that require inspection and certification as noted in the DMLC and those areas that require inspection only, as detailed in Section 5, must all be met in order to fulfill compliance with the Convention. Note that for the purposes of the DMLC, Regulation 3.1 “Accommodation and recreational facilities” has been split into two separate areas in the DMLC, one for “Accommodations” and one for “Recreational facilities”.

\[\text{Section 2 Guidance Notes on the ILO Maritime Labour Convention, 2006}\]
### TABLE 1
Convention Areas Subject to Flag State Certification and/or Inspection

<table>
<thead>
<tr>
<th>Regulations</th>
<th>Subject to Certification and Inspection (DMLC)</th>
<th>Subject to Inspection Only</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title 1: Minimum Requirements for Seafarers to Work on a Ship</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulation 1.1 Minimum age</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 1.2 Medical certificate</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 1.3 Training and qualifications</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 1.4 Recruitment and placement</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td><strong>Title 2: Conditions of Employment</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulation 2.1 Seafarers’ employment agreements</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 2.2 Wages</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 2.3 Hours of work and hours of rest</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 2.4 Entitlement to leave</td>
<td>---</td>
<td>Yes</td>
</tr>
<tr>
<td>Regulation 2.5 Repatriation</td>
<td>---</td>
<td>Yes</td>
</tr>
<tr>
<td>Regulation 2.6 Seafarer compensation for the ship’s loss or foundering</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 2.7 Manning levels</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 2.8 Career and skill development and opportunities for seafarers’ employment</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>Title 3: Accommodation, Recreational Facilities, Food and Catering</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulation 3.1 Accommodation and recreational facilities</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 3.2 Food and catering</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td><strong>Title 4: Health, Protection, Medical Care, Welfare and Social Security Protection</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulation 4.1 Medical care on board ship and ashore</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 4.2 Shipowner’s liability</td>
<td>---</td>
<td>Yes</td>
</tr>
<tr>
<td>Regulation 4.3 Health and safety protection and accident prevention</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 4.4 Access to shore-based welfare facilities</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 4.5 Social security</td>
<td>---</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Title 5: Compliance and Enforcement</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulation 5.1 Flag State responsibilities</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.1.1 General principles</td>
<td>---</td>
<td>Yes</td>
</tr>
<tr>
<td>Regulation 5.1.2 Authorization of recognized organizations</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.1.3 Maritime labour certificate and declaration of maritime labour compliance</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.1.4 Inspection and enforcement</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.1.5 On-board complaint procedure</td>
<td>Yes</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.1.6 Marine casualties</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.2 Port State Responsibilities</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.2.1 Inspections in port</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.2.2 Onshore seafarer complaint-handling procedures</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Regulation 5.3 Labour-supplying responsibilities</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>
### Section 3 Maritime Labour Convention Titles and Guidance

#### 1 Guidance for Each Regulation

##### 1.1 Detailed Index of Guidance for Each Regulation

<table>
<thead>
<tr>
<th>Title</th>
<th>Minimum Requirements for Seafarers to Work on a Ship</th>
<th>See Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Regulation 1.1 Minimum Age</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Regulation 1.2 Medical Certificate</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Regulation 1.3 Training and Qualifications</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Regulation 1.4 Recruitment and Placement</td>
<td>35</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Conditions of Employment</th>
<th>See Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Regulation 2.1 Seafarers’ Employment Agreements</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>Regulation 2.2 Wages</td>
<td>63</td>
</tr>
<tr>
<td></td>
<td>Regulation 2.3 Hours of Work and Hours of Rest</td>
<td>72</td>
</tr>
<tr>
<td></td>
<td>Regulation 2.4 Entitlement to Leave (inspection only)</td>
<td>196</td>
</tr>
<tr>
<td></td>
<td>Regulation 2.5 Repatriation (inspection only)</td>
<td>199</td>
</tr>
<tr>
<td></td>
<td>Regulation 2.7 Manning Levels</td>
<td>87</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Accommodation, Recreational Facilities, Food and Catering</th>
<th>See Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Regulation 3.1 Accommodation and Recreational Facilities*</td>
<td>92</td>
</tr>
<tr>
<td></td>
<td>Regulation 3.2 Food and Catering</td>
<td>121</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Health, Protection, Medical Care, Welfare and Social Security Protection</th>
<th>See Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Regulation 4.1 Medical Care on Board Ship and Ashore</td>
<td>131</td>
</tr>
<tr>
<td></td>
<td>Regulation 4.2 Shipowner’s Liability (inspection only)</td>
<td>204</td>
</tr>
<tr>
<td></td>
<td>Regulation 4.3 Health and Safety Protection and Accident Prevention</td>
<td>140</td>
</tr>
<tr>
<td></td>
<td>Regulation 4.5 Social Security (inspection only)</td>
<td>208</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title</th>
<th>Compliance and Enforcement</th>
<th>See Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Regulation 5.1.1 General Principles (inspection only)</td>
<td>211</td>
</tr>
<tr>
<td></td>
<td>Regulation 5.1.5 On-board Complaint Procedure</td>
<td>161</td>
</tr>
</tbody>
</table>

* Additional guidance for the engineering design requirements of Title 3, Regulation 3.1 “Accommodation and Recreational Facilities” is given in Section 4 of these Guidance Notes.
The guidance for each individual provision of the Convention is structured as a set of informational blocks. As illustrated in Section 3, Figure 1, the first block on each set identifies the Standards (Part A) of the Code, which is the Mandatory section of the Convention. The next block contains methods to achieve compliance, which includes guidance from Part B of the Code, and supplementary ABS guidance based on ABS’ interpretation of the intent of the Part A requirements. The last two blocks in the set contain examples of types of procedures and records to demonstrate compliance with the regulations.

Prior to each new regulation (Regulation 1.1, Regulation 1.2, etc.), there is a cover page identifying the purpose and key issues of the regulation. At the end of each Title there is a reference page listing relevant industry publications on the subject. Additionally, Appendix 6 provides a cross reference of select flag State regulations and Regulations identified in the DMLC at the time of publication for incorporation into these Guidance Notes.

**FIGURE 1**
Structure of the Guidance for Each Standard

<table>
<thead>
<tr>
<th>TITLE #</th>
<th>Any of the Five Titles that Compose the Maritime Labour Convention</th>
</tr>
</thead>
<tbody>
<tr>
<td>STD. 1.1.1</td>
<td>Any of the Provisions or Standards within each Regulation</td>
</tr>
</tbody>
</table>

_Mandatory_  
This block is a textual copy of Part A of the standard cited above (in this case 1.1.1).

_Meetods to Achieve Compliance_  
Provides guidance to the shipowner to achieve compliance with the Mandatory provision or standard cited above. Relevant guidance given in Part B of the Code may be included in this section in addition to suggestions put forth by ABS.

_Sample Procedures_  
Gives examples of procedures that the shipowner could develop and implement as part of its labor management system to facilitate compliance with the Convention.

_Sample Records_  
Gives examples of records that the shipowner could consider keeping in order to demonstrate compliance.
**Title 1:** Minimum Requirements for Seafarers to Work on a Ship  
**Reg. 1.1** Minimum age

**Purpose**  
To ensure that no underage persons work on a ship.

**Key Issues**

1. No person below the minimum age shall be employed or engaged or work on a ship.
2. The minimum age at the time of the initial entry into force of this Convention is 16 years.
3. A higher minimum age shall be required in the circumstances set out in the Code.
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

STD. 1.1.1 Minimum age

Mandatory

The employment, engagement or work on board a ship of any person under the age of 16 shall be prohibited.

Methods to Achieve Compliance

The shipowner must verify the age of the seafarer prior to employment to ensure that no seafarer under the age of 16 is employed. The shipowner should ensure that consistency in age verification is maintained. This process should be audited periodically, preferably annually.

Manning agents, if used, must provide suitable documentation to the shipowner of a seafarer’s age.

Sample Procedures

The shipowner should develop a documented procedure on seafarer age verification.

The shipowner should develop a documented procedure that integrates age verification procedures as part of internal audit planning.

Sample Records

- Age verification procedure
- Internal audit reports
- Access to national legislation regarding seafarers under the age of 18
- Age verification records for all seafarers
- Copies of agreements with manning agents
- Hours of work/rest records with seafarers’ signatures
- Accident reports and safety committee reports where age of seafarers involved can be ascertained
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

STD. 1.1.2 Minimum age

Mandatory

Night work of seafarers under the age of 18 shall be prohibited. For the purposes of this Standard, “night” shall be defined in accordance with national law and practice. It shall cover a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m.

Methods to Achieve Compliance

Only seafarers 18 years and older are to be permitted to work at night. The shipowner should reference national legislation regarding the definition of “night”. Seafarers under the age of 18 must be granted at least nine continuous hours of rest at night.

For example, seafarers under the age of 18, if working until midnight, must be afforded rest until at least 09:00 hours. These same seafarers, if they must turn to by 05:00 hours, are required to be provided rest starting at least by 20:00 hours the day before.

The competent authority in the flag State is responsible for developing a format for recording seafarers’ hours of work and rest. This format should be in the working language of the ship and in English. These records should be signed by the seafarer and the master or other delegated person. These records are auditable by the competent authority in the flag State.

A model format for recording hours of work or rest based upon ILO Convention Number 180 is provided by the International Maritime Organization (IMO)/ILO in the joint publication Seafarers’ Hours of Work and Hours of Rest.

Internal audits should include verification that the seafarers under the age of 18 are not working at night unless specifically approved by the flag administration.

Sample Procedures

The shipowner should develop a documented procedure that defines the meaning of “night” in accordance with national legislation. The procedure should define the shipowner’s verification process for ensuring that seafarers under the age of 18 are not working at “night”.

Sample Records

- Records of hours of rest/work
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

Minimum age

Mandatory

An exception to strict compliance with the night work restriction may be made by the competent authority when:

(a) the effective training of the seafarers concerned, in accordance with established programmes and schedules, would be impaired; or

(b) the specific nature of the duty or a recognized training programme requires that the seafarers covered by the exception perform duties at night and the authority determines, after consultation with the shipowners’ and seafarers’ organizations concerned, that the work will not be detrimental to their health or well-being.

Methods to Achieve Compliance

The shipowner should develop a training program and schedule and submit it to the competent authority in the flag State for approval if there is a need to include seafarers under the age of 18 for work at “night.” In general, entry level positions in the deck, engine, and steward department will fall into this training program.

The onus is on the shipowner to demonstrate to the competent authority that “night” training is essential for the experience and competency training for the seafarer and that controls are in place to establish compensatory rest to augment the seafarer’s health and well-being.

The shipowner may determine that mooring and unmooring vessels at night is a viable experience issue. Over the course of an engagement on board, the shipowner could suggest performance of a certain number of night mooring/unmooring operations. The seafarer would be afforded compensatory rest during subsequent normal working hours.

Taking morning stars or making early morning landfall might require the seafarer to be awakened earlier than 05:00 hours in order to dress, eat, and acquire night vision in preparation for these tasks. The shipowner may wish to establish a minimum number of these activities as part of the training program. These activities must be approved by the competent authority in the flag State.

Sample Procedures

The shipowner should develop a documented procedure which defines the training program regarding seafarers under the age of 18.

Sample Records

- Acceptance letters from the competent authority in the flag State, as appropriate
- Training records demonstrating compliance with the training program
- Operational competency training records
- Training records indicating date and time of training (generally conducted during normal working hours)
**TITLE 1: Minimum Requirements for Seafarers to Work on a Ship**

**STD. 1.1.4 Minimum age**

**Mandatory**

*The employment, engagement or work of seafarers under the age of 18 shall be prohibited where the work is likely to jeopardize their health or safety. The types of such work shall be determined by national laws or regulations or by the competent authority, after consultation with the shipowners’ and seafarers’ organizations concerned, in accordance with relevant international standards.*

**Methods to Achieve Compliance**

The shipowner should refer to national legislation for guidance regarding types of work which seafarers under the age of 18 should be prohibited from performing. Examples of activities that could be prohibited include confined space entry, energy isolation, and working at height. Additional guidance may be found in the ILO/WHO (World Health Organization) Guidelines for Conducting Pre-sea and Periodic Medical Fitness Examinations for Seafarers. The shipowner should clearly define these prohibitions within the company’s documented management system.

The permit to work (PTW) and risk assessment systems can be used to identify work that would be likely to jeopardize the health or safety of seafarers under the age of 18. Language within current PTW and risk assessment policies should reflect this aspect.

The shipowner should establish medical fitness checks in accordance with applicable international and national requirements on seafarers under the age of 18 at regular intervals.

With a formal training program, consideration should be made for these seafarers to have time to complete assignments during regular working hours instead of during off-work hours.

**Sample Procedures**

The shipowner should develop a documented procedure that defines prohibited work for seafarers under the age of 18. In addition, medical fitness requirements should be defined in accordance with international and national regulations.

**Sample Records**

- National and international regulations should be part of the shipowner’s library.
- Work records for seafarers under the age of 18. These records should clearly define the types of work in which the seafarer was engaged.
- Permit to work records
- Risk assessment records
- Medical fitness certificates
- Training records
- Work and rest records
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship
REG. 1.2 Medical certificate

Purpose
To ensure that all seafarers are medically fit to perform their duties at sea.

Key Issues
1. Seafarers shall not work on a ship unless they are certified as medically fit to perform their duties.
2. Exceptions can only be permitted as prescribed in the Code.
Title 1: Minimum Requirements for Seafarers to Work on a Ship

STD. 1.2.1 Medical certificate

Mandatory

The competent authority shall require that, prior to beginning work on a ship, seafarers hold a valid medical certificate attesting that they are medically fit to perform the duties they are to carry out at sea.

Methods to Achieve Compliance

The ILO/WHO Guidelines for Conducting Pre-sea and Periodic Medical Fitness Examinations for Seafarers should be used as a guide by the shipowner for ascertaining seafarer medical fitness. This guide should be used in conjunction with any relevant flag State regulations. These standards should be communicated to medical providers.

Sample Procedures

The company should have a documented procedure regarding medical examinations of seafarers.

Sample Records

- Medical Certificates
- Procedure for determining medical fitness
- Crew list
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

STD.1.2.2 Medical certificate

Mandatory

In order to ensure that medical certificates genuinely reflect seafarers’ state of health, in light of the duties they are to perform, the competent authority shall, after consultation with the shipowners’ and seafarers’ organizations concerned, and giving due consideration to applicable international guidelines referred to in Part B of this Code, prescribe the nature of the medical examination and certificate.

Methods to Achieve Compliance

The shipowner should assign responsibility to a person(s) for accessing and monitoring changes to flag State regulations and guidelines prescribing the correct form of the medical certificate. In addition, responsibilities should be assigned to ensure that medical certificates are issued in the prescribed format and are valid while the seafarer is on board.

Sample Procedures

The shipowner should have a documented procedure detailing the requirements for medical exams of their seafarers at all positions on board.

Sample Records

• Copies of medical certificates in prescribed format
Title 1: Minimum Requirements for Seafarers to Work on a Ship

STD. 1.2.3 Medical certificate

Mandatory

This Standard is without prejudice to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended ("STCW"). A medical certificate issued in accordance with the requirements of STCW shall be accepted by the competent authority, for the purpose of Regulation 1.2. A medical certificate meeting the substance of those requirements, in the case of seafarers not covered by STCW, shall similarly be accepted.

Methods to Achieve Compliance

Medical certificates issued in compliance with STCW are considered acceptable regardless of applicability of STCW to the seafarer. The shipowner may consider requiring all seafarers to undergo medical examinations in accordance with STCW.

Sample Procedures

The shipowner should develop a procedure to identify appropriate medical standards for ship personnel.

Sample Records

- Copy of STCW compliant medical certificates
**TITLE 1: Minimum Requirements for Seafarers to Work on a Ship**

**STD. 1.2.4 Medical certificate**

<table>
<thead>
<tr>
<th>Mandatory</th>
</tr>
</thead>
<tbody>
<tr>
<td>The medical certificate shall be issued by a duly qualified medical practitioner or, in the case of a certificate solely concerning eyesight, by a person recognized by the competent authority as qualified to issue such a certificate. Practitioners must enjoy full professional independence in exercising their medical judgment in undertaking medical examination procedures.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Methods to Achieve Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Only qualified medical practitioners should be used to determine medical fitness of seafarers. A list of qualified medical practitioners and persons recognized by the flag administration to issue certificates regarding eyesight should be available from the various flag States.</td>
</tr>
<tr>
<td>The qualified medical practitioners should be included in the company’s approved vendor list.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>The shipowner should establish a documented procedure that assigns responsibility for identifying and maintaining a list of qualified medical practitioners, including practitioners recognized by the flag administration for providing vision services.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample Records</th>
</tr>
</thead>
<tbody>
<tr>
<td>• List of qualified medical practitioners</td>
</tr>
<tr>
<td>• List of practitioners who have been recognized for their vision services</td>
</tr>
<tr>
<td>• Letter of authorization or recognition by competent authority in the flag State</td>
</tr>
</tbody>
</table>
**TITLE 1**

**STD. 1.2.5** Minimum Requirements for Seafarers to Work on a Ship

**Medical certificate**

**Mandatory**

*Seafarers that have been refused a certificate or have had a limitation imposed on their ability to work, in particular with respect to time, field of work or trading area, shall be given the opportunity to have a further examination by another independent medical practitioner or by an independent medical referee.*

**Methods to Achieve Compliance**

The shipowner should consider how to deal with seafarers who fail the initial medical exam. The seafarer should be afforded the opportunity to have a secondary examination. The shipowner should determine, if any limitations are imposed, whether the person is considered medically fit for the purpose of the position on board the ship.

**Sample Procedures**

The shipowner should develop a documented procedure regarding seafarer medical examinations. The procedure should contain clear instructions regarding steps to be taken if the seafarer fails the initial medical examination.

**Sample Records**

- Results of medical exam or medical certificate
- Work schedules
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

STD. 1.2.6 Medical certificate

Mandatory

Each medical certificate shall state in particular that:

(a) the hearing and sight of the seafarer concerned, and the colour vision in the case of a seafarer to be employed in capacities where fitness for the work to be performed is liable to be affected by defective colour vision, are all satisfactory; and

(b) the seafarer concerned is not suffering from any medical condition likely to be aggravated by service at sea or to render the seafarer unfit for such service or to endanger the health of other persons on board.

Methods to Achieve Compliance

The shipowner should identify the qualifications for hearing and eyesight for the seafarers. The shipowner may wish to provide a reference to a particular flag State regulation rather than incorporate the details into a procedure. The referenced regulation should then be available in the shipowner’s office and on board the ship.

Sample Procedures

The shipowner should establish a documented procedure that incorporates seafarer criteria for medical fitness and apprises medical practitioners of any company specifications that exceed flag State minimum requirements. The procedure should define responsibility for monitoring changes to regulatory requirements and verification of implementation of these requirements.

Sample Records

- Medical exam records or certificates of fitness for service
- Periodic reviews (preferably annually) that the procedure is correct or that the regulation has been monitored


**Title 1: Minimum Requirements for Seafarers to Work on a Ship**

**Medical Certificate**

**Mandatory**

*Unless a shorter period is required by reason of the specific duties to be performed by the seafarer concerned or is required under STCW:*

1. **Medical Certificate**
   - (a) A medical certificate shall be valid for a maximum period of two years unless the seafarer is under the age of 18, in which case the maximum period of validity shall be one year;
   - (b) A certification of colour vision shall be valid for a maximum period of six years.

**Methods to Achieve Compliance**

A tracking mechanism, used by the shipowner and/or the ship, should be developed to monitor the validity of medical certificates of all seafarers, preferably on a monthly basis and upon signing onto the ship.

**Sample Procedures**

The shipowner should develop a documented procedure for tracking seafarer medical certification expiration dates. The shipowner may wish to use electronic databases for this purpose.

**Sample Records**

- Records of checks on ship personnel medical records
- Valid medical certificates
- Valid color vision certificates
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

STD. 1.2.8 Medical certificate

Mandatory

In urgent cases the competent authority may permit a seafarer to work without a valid medical certificate until the next port of call where the seafarer can obtain a medical certificate from a qualified medical practitioner, provided that:

(a) the period of such permission does not exceed three months; and

(b) the seafarer concerned is in possession of an expired medical certificate of recent date.

Methods to Achieve Compliance

The shipowner should consider how to handle an urgent need for seafarer medical certificates or if the medical certificate has expired.

Sample Procedures

Contained within the documented procedure for seafarer medical certificate tracking, the shipowner should identify the protocols for handling situations when a seafarer has an urgent need for a medical certificate or if the certificate has expired. Qualified medical practitioners should be used.

Sample Records

- Copies of medical certificates
- Copies of temporary exemptions or extensions
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship
STD. 1.2.9 Medical certificate

Mandatory
If the period of validity of a certificate expires in the course of a voyage, the certificate shall continue in force until the next port of call where the seafarer can obtain a medical certificate from a qualified medical practitioner, provided that the period shall not exceed three months.

Methods to Achieve Compliance
The shipowner should address medical certificates that expire during the course of a voyage and how to verify that a medical exam is conducted at the next port of call but no longer than three months from the expiration date.

Sample Procedures
Contained within the documented procedure for seafarer medical certificate tracking, issues regarding how to handle medical certificates that expire during a voyage should be defined.

Sample Records
- Correspondence from the ship to the company or manning agent indicating that a seafarer(s) has an expired medical certificate
- Correspondence with the competent authority in the flag State when a medical certificate cannot be obtained at the next port of call or within three months
Title 1: Minimum Requirements for Seafarers to Work on a Ship

STD. 1.2.10  Medical certificate

**Mandatory**

The medical certificates for seafarers working on ships ordinarily engaged on international voyages must as a minimum be provided in English.

**Methods to Achieve Compliance**

The shipowner should ensure that medical practitioners provide medical certificates in English if the vessel is ordinarily engaged on international voyages.

**Sample Procedures**

Contained within the documented procedure for seafarer medical certificate tracking, instructions regarding using the English language for medical certificates should be defined and communicated to qualified medical practitioners. Allowance may be made for medical certificates in other languages if English is not the working language of the ship and the ship is not engaged on international voyages.

**Sample Records**

- Copies of medical certificates (English and/or the working language, if appropriate)
| Title 1: Minimum Requirements for Seafarers to Work on a Ship |
| Training and qualifications |
| Purpose |
| To ensure that seafarers are trained or qualified to carry out their duties on board ship. |
| Key Issues |
| 1. Seafarers shall not work on a ship unless they are trained or certified as competent or otherwise qualified to perform their duties. |
| 2. Seafarers shall not be permitted to work on a ship unless they have successfully completed training for personal safety on board ship. |
| 3. Training and certification in accordance with the mandatory instruments adopted by the International Maritime Organization shall be considered as meeting the requirements of paragraphs 1 and 2 of this Regulation. |
| 4. Any Member which, at the time of its ratification of this Convention, was bound by the Certification of Able Seamen Convention, 1946 (No. 74), shall continue to carry out the obligations under that Convention unless and until mandatory provisions covering its subject matter have been adopted by the International Maritime Organization and entered into force, or until five years have elapsed since the entry into force of this Convention in accordance with paragraph 3 of Article VIII, whichever date is earlier. |
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship
Training and qualifications

REG. 1.3

Mandatory

No Part A requirement under this Section (refer to Regulation 1.3).

Methods to Achieve Compliance

Shipowners should verify that seafarer documents are valid, i.e., unexpired, original documents are signed by the seafarer, and that the documents are not fraudulent.

The shipowner should identify competency requirements based upon national and international requirements as well as those requirements established by the shipowner.

The shipowner should establish training matrices, as appropriate, to capture relevant training and competency requirements for each seafarer position taking into account STCW and national requirements.

The shipowner should have controls in place with manning agents, or by contractual means, that define the mandatory competency requirements for each seafarer, prior to the manning agent releasing the seafarer to the shipowner.

The shipowner should provide familiarization orientation for each seafarer when joining the ship, including training for personal safety on board ship.

The shipowner should maintain current copies of international and national regulations related to seafarer competency. The primary international regulation affecting seafarers is STCW. Flag State regulations should provide further guidance for the shipowner.

The shipowner should determine that an able seaman is competent to perform any duty which may be required of a member of the crew serving in the deck department (other than an officer or leading or specialist rating) where he holds a certificate of qualification as able seaman.

Sample Procedures

The company should have documented procedures regarding monitoring expiration dates of seafarer licenses and medical certificates, defining seafarer competency requirements, specifying the employment process to be used with manning agencies, and outlining the requirements for seafarer on-board familiarization.

Sample Records

- Manning agency agreements which stipulate competency requirements
- Training records and materials
- Copies of licenses/certificates
- Familiarization records
- Personnel files
- Current copies of relevant international and national regulations regarding seafarer competency
- Index of documents of external origin
- Minimum Safe Manning Certificate, or equivalent
- Crew list
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship
REG. 1.4 Recruitment and placement

Purpose
To ensure that seafarers have access to an efficient and well-regulated seafarer recruitment and placement system.

Key Issues
1. All seafarers shall have access to an efficient, adequate and accountable system for finding employment on board ship without charge to the seafarer.
2. Seafarer recruitment and placement services operating in a Member’s territory shall conform to the standards set out in the Code.
3. Each Member shall require, in respect of seafarers who work on ships that fly its flag, that shipowners who use seafarer recruitment and placement services that are based in countries or territories in which this Convention does not apply ensure that those services conform to the requirements set out in the Code.
Title 1: Minimum Requirements for Seafarers to Work on a Ship
Recruitment and placement

Mandatory

Each Member that operates a public seafarer recruitment and placement service shall ensure that the service is operated in an orderly manner that protects and promotes seafarers’ employment rights as provided in this Convention.

Methods to Achieve Compliance

While it is the responsibility of Member States to ensure that public seafarer recruitment services are operated in a manner that protects and promotes seafarer rights, the shipowner should ensure that seafarer employment rights are protected on board the vessel and requirements of this Convention are implemented.

The shipowner should protect the right to privacy of seafarers in accordance with national regulations. Internal audits should be conducted to verify that this process is effectively implemented.

The shipowner should protect the seafarer from discrimination based on age or sex in accordance with flag State regulations. Reasons for not hiring seafarers should be clearly defined.

The shipowner should have access to the credentials of the staff at the seafarer organization. The seafarer organization should be able to demonstrate knowledge of flag State requirements and reciprocity agreements with other competent authorities in the flag States. The shipowner should conduct periodic audits of the manning agents to verify that quality standards of staff and hiring/training processes are being maintained.

The shipowner should identify flag State standards that have been established for manning agencies. These standards can be used as the basis for audits.

Where a public recruitment service is required to be licensed or certified, the shipowner should verify that manning agencies can provide relevant documentation of compliance. This documentation could be a copy of a certificate of a quality management standard such as ISO 9001 or a certificate issued by the competent authority in the labor-supplying country. The shipowner should maintain a copy of this certificate.

Sample Procedures

The company should have a documented procedure so that, prior to selection of a recruitment service, conformance with national requirements is verified. This procedure should include a periodic review of regulations regarding recruitment services.

The company should have a documented procedure regarding processing seafarer personal data in a manner that protects the privacy of this information.

Continued on next page
Minimum Requirements for Seafarers to Work on a Ship
Recruitment and placement, Continued

Sample Procedures (continued)

The company should have a documented procedure regarding the employment process that outlines methods for preventing discrimination during the hiring process, particularly regarding sex and age.

The company should have a documented procedure regarding monitoring activities of manning agents. The scope of these audits should include assessment of the agent’s staff and procedures to verify that standards are being maintained and flag State requirements are implemented.

Sample Records

- Copies of seafarer recruitment and placement service contracts
- Internal audit records
- Hiring records: applications, including correspondence which provides reasons for not hiring seafarers
- Audit reports of manning agents
- Copies of manning agency quality management certificates
**Title 1: Minimum Requirements for Seafarers to Work on a Ship**

**STD. 1.4.2 Recruitment and placement**

**Mandatory**

*Where a Member has private seafarer recruitment and placement services operating in its territory whose primary purpose is the recruitment and placement of seafarers or which recruit and place a significant number of seafarers, they shall be operated only in conformity with a standardized system of licensing or certification or other form of regulation. This system shall be established, modified or changed only after consultation with the shipowners’ and seafarers’ organizations concerned. In the event of doubt as to whether this Convention applies to a private recruitment and placement service, the question shall be determined by the competent authority in each Member after consultation with the shipowners’ and seafarers’ organizations concerned. Undue proliferation of private seafarer recruitment and placement services shall not be encouraged.*

**Methods to Achieve Compliance**

*Where a shipowner utilizes a private seafarer recruitment and placement service, the shipowner should verify that the private placement service is licensed or certified by the Member State.*

**Seafarer Records**

*The shipowner should maintain a seafarer record for each seafarer. Types of documents that should be maintained in the seafarer’s file should be identified. The shipowner should be able to establish that seafarers that are employed on certain types of ships, i.e., passenger, tanker, and chemical, can demonstrate recent service and competency for these types of ships. Confidentiality and right to privacy should be protected.*

**Documentation**

*In the event that the shipowner uses a manning agent, the manning agent should forward copies of relevant documents, defined by procedure or contract, to the shipowner prior to sending the seafarer to the ship in order to ascertain competency. The shipowner should identify how shore staff personnel are to process this information.*

*The shipowner should identify its procedures and information that should be distributed to the manning agency for use by the seafarers. These distributed procedures should be controlled documents. As these procedures are periodically revised, the manning agency should be on a distribution list to receive these updates. The manning agency should be periodically audited to verify that the shipowner’s procedures are being correctly implemented.*

*Continued on next page*
Methods to Achieve Compliance (continued)

The shipowner should define how validation of seafarers’ credentials and references is conducted. The shipowner should consider including these requirements within the contractual agreement with the manning agency together with the right to audit the manning agency’s processes for compliance. Measures to verify that seafarer credentials have not been fraudulently obtained should be established. For example, some flag States provide internet access to seafarer information for the shipowner.

The shipowner should conduct audits of the collective bargaining agreement, both on the ship and on shore. The shipowner should provide copies of the Maritime Labour Certificate and the Declaration of Maritime Labour Compliance (DMLC) to the manning agency as evidence of compliance with the International Labour Convention of 2006.

Emergency Contact Information

The shipowner should identify emergency contact information and the process and frequency with which this information is kept up-to-date. Checks and balances for hiring seafarers in emergency situations should be defined, regardless if personnel are directly hired by the shipowner or if a manning agent is used.

The shipowner should post and make ship schedules available to relevant parties. Urgent contact information of the shipowner should be made available to the manning agency so that families can ascertain information on the seafarer. This service should be complimentary and incur no cost to the seafarers’ families or the seafarer.

Controls on Exploitation

The shipowner should verify that manning agencies provide information on their controls for determining that seafarers are not exploited. The shipowner should define joining requirements for seafarers that do not create a financial burden for the seafarer. The shipowner should define the costs, if any, which a seafarer would be expected to bear. This information should be communicated to manning agents, if used.

Seafarer Discipline

The shipowner should define the process for handling seafarer incompetence and indiscipline. The shipowner should define these terms. The shipowner may wish to establish processes for automatic discharge of seafarers for defined serious offenses and for a means to provide warnings and levels of disciplinary actions.

The company should have a documented procedure to verify that private recruitment and placement services are approved by the Member State.

Continued on next page
Sample Procedures

The company should have documented procedures regarding confidential maintenance of seafarer medical and personal records, identification of the types of documents to be maintained, and manning agent instructions to provide relevant documents to the shipowner prior to shipping the seafarer for assignment.

The company should have a documented procedure regarding maintaining contact information of ships and associated manning agents for the recruiting process in cases of emergency.

The company should have a documented procedure regarding the employment process with manning agents outlining controls that prevent the exploitation of seafarers either during the recruiting process or financially burdened when assigned to a ship for duty.

The company should have documented procedures regarding developing and maintaining communication of relevant shipowner procedures to the manning agency for use by the seafarers and for auditing both the relevant shipowner department responsible for distributing the current policies and the manning agency for implementation.

The company should have a documented procedure regarding seafarer disciplinary processes. The company should have a defined Code of Conduct.

The company should have documented procedures regarding competency requirements for seafarers and for auditing the ships, shore-side departments responsible for tracking certificates, and manning agencies for compliance.

The company should have a documented procedure for maintaining and communicating ships’ schedules.

The company should have documented procedures for defining the types of documents that the shipowner should provide the manning agency and for auditing the collective bargaining agreements.

Continued on next page
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship
STD. 1.4.2 Recruitment and placement, Continued

Sample Records

- Documents indicating approval and/or certification of private placement services
- Audit reports of manning agencies
- Internal audit records
- Employment records
- Training Record Book
- Medical records
- Emergency contact information and records of reviews of this information
- Documentation from manning agencies regarding controls in place to prevent exploitation of seafarers in recruitment and placement services
- Payroll records
- Published seafarer joining costs, if any
- Copies of transmittal letters to manning agencies regarding procedures and information that seafarers should be apprised of prior to employment
- Correspondence regarding disciplinary action against seafarers for incompetence and/or indiscipline
- Copies of seafarer licenses/credentials
- Employment agreement
- Copies of ship schedules
- Copies of the Maritime Labour Certificate and DMLC and correspondence with the manning agency regarding their distribution
Minimum Requirements for Seafarers to Work on a Ship
Recruitment and placement

Mandatory

The provisions of paragraph 2 of this Standard shall also apply – to the extent that they are determined by the competent authority, in consultation with the shipowners’ and seafarers’ organizations concerned, to be appropriate – in the context of recruitment and placement services operated by a seafarers’ organization in the territory of the Member for the supply of seafarers who are nationals of that Member to ships which fly its flag. The services covered by this paragraph are those fulfilling the following conditions:

(a) the recruitment and placement service is operated pursuant to a collective bargaining agreement between that organization and a shipowner;

(b) both the seafarers’ organization and the shipowner are based in the territory of the Member;

(c) the Member has national laws or regulations or a procedure to authorize or register the collective bargaining agreement permitting the operation of the recruitment and placement service; and

(d) the recruitment and placement service is operated in an orderly manner and measures are in place to protect and promote seafarers’ employment rights comparable to those provided in paragraph 5 of this Standard.

Methods to Achieve Compliance

Where recruitment and placement services are operated by a seafarer’s organization pursuant to an approved collective bargaining agreement and provided both seafarer organization and shipowner are based in the same country, the shipowner should verify that the recruitment and placement service is licensed and/or certified by the Member State.

Sample Procedures

The company should have a documented procedure that includes internal auditing of placement services to verify that manning procedures are implemented and maintained.

Sample Records

- Copy of Quality, Safety, Security, or Environmental certification
- Approval letter issued to recruitment and placement service by the Member States
- Audit reports
<table>
<thead>
<tr>
<th>Title 1:</th>
<th>Minimum Requirements for Seafarers to Work on a Ship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Std. 1.4.4</td>
<td>Recruitment and placement</td>
</tr>
</tbody>
</table>

**Mandatory**

*Nothing in this Standard or Regulation 1.4 shall be deemed to:*

(a) prevent a Member from maintaining a free public seafarer recruitment and placement service for seafarers in the framework of a policy to meet the needs of seafarers and shipowners, whether the service forms part of or is coordinated with a public employment service for all workers and employers; or

(b) impose on a Member the obligation to establish a system for the operation of private seafarer recruitment or placement services in its territory.

**Methods to Achieve Compliance**

No requirement for shipowner.

**Sample Procedures**

No requirement for shipowner.

**Sample Records**

No requirement for shipowner.
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

Recruitment and placement

Mandatory

A Member adopting a system referred to in paragraph 2 of this Standard shall, in its laws and regulations or other measures, at a minimum:

(a) prohibit seafarer recruitment and placement services from using means, mechanisms or lists intended to prevent or deter seafarers from gaining employment for which they are qualified;

(b) require that no fees or other charges for seafarer recruitment or placement or for providing employment to seafarers are borne directly or indirectly, in whole or in part, by the seafarer, other than the cost of the seafarer obtaining a national statutory medical certificate, the national seafarer’s book and a passport or other similar personal travel documents, not including, however, the cost of visas, which shall be borne by the shipowner; and

(c) ensure that seafarer recruitment and placement services operating in its territory:

(i) maintain an up-to-date register of all seafarers recruited or placed through them, to be available for inspection by the competent authority;

(ii) make sure that seafarers are informed of their rights and duties under their employment agreements prior to or in the process of engagement and that proper arrangements are made for seafarers to examine their employment agreements before and after they are signed and for them to receive a copy of the agreements;

(iii) verify that seafarers recruited or placed by them are qualified and hold the documents necessary for the job concerned, and that the seafarers’ employment agreements are in accordance with applicable laws and regulations and any collective bargaining agreement that forms part of the employment agreement;

(iv) make sure, as far as practicable, that the shipowner has the means to protect seafarers from being stranded in a foreign port;

(v) examine and respond to any complaint concerning their activities and advise the competent authority of any unresolved complaint;

(vi) establish a system of protection, by way of insurance or an equivalent appropriate measure, to compensate seafarers for monetary loss that they may incur as a result of the failure of a recruitment and placement service or the relevant shipowner under the seafarers’ employment agreement to meet its obligations to them.

Continued on next page
Methods to Achieve Compliance

This section refers to requirements for private recruitment and placement. However, shipowners should implement these requirements if employees are hired directly. The shipowner should not maintain lists of seafarers intended to prevent qualified seafarers from gaining employment.

The shipowner should pay for the cost of visas. The shipowner is not obliged to pay for medical certificates, national seafarer’s book, or other travel documents for seafarers. However, companies with seafarers as direct employees may wish to absorb these costs.

The shipowner should provide copies of current employment agreements to the seafarer directly or via the recruitment service.

The shipowner should define qualifications for ship positions. These qualifications should be provided to the manning agency. The shipowner should assign responsibility to research and verify compliance with collective bargaining regulations in accordance with the competent authority in the flag State. Audits for compliance should be conducted.

The shipowner should have procedures for dealing with a seafarer who becomes stranded in a foreign port. Knowledge of applicable embassies in each country and consideration of delaying the sailing of the ship for a maximum number of hours until such time in which the stranded seafarer can be attended by the master or ship agent should be considered.

The shipowner should contact the competent authority in the flag State whenever unresolved complaints with private manning agencies have occurred. A mechanism to address seafarer complaints should be established.

The shipowner should define, during the recruitment process, its obligations to the seafarer regarding insurance and compensation. These obligations should also be documented within the contractual agreement with manning agencies.

Sample Procedures

The company should have documented procedures that provide guidance on employment of seafarers from private recruitment and placement services, if applicable; seafarer identification documents; and seafarer compensation criteria during recruitment.

The company should have a documented procedure for assigning responsibility for communicating with and providing relevant documentation to seafarer recruitment agencies and/or seafarers regarding their employment agreements.

Continued on next page
The company should have documented procedures for seafarer qualifications and for communicating these requirements to the manning agency, accessing and implementing relevant regulations regarding collective bargaining requirements from the competent authority in the flag State, and for conducting internal audits of these processes.

The company should have a documented procedure regarding providing instructions to the ship’s master for seafarers that are stranded in foreign ports.

The company should have a documented procedure which incorporates outlining seafarer compensation criteria during the recruitment process.

Sample Records

- Copies of visas
- Payroll and finance records
- Evidence of payment for seafarer’s visa
- Copies of seafarer acknowledgement of receipt of agreements
- Employment agreements
- Audits of regulations as well as updates to procedures
- Transmittal letters of distribution to the manning agency
- Crew list
- Correspondence with embassies and shipping agents, as applicable
- Repatriation documents for seafarers
- Correspondence with competent authorities
- Complaint correspondence with the manning agency
- Records of seafarer complaints and subsequent resolution
### TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

#### STD. 1.4.6 Recruitment and placement

**Mandatory**

The competent authority shall closely supervise and control all seafarer recruitment and placement services operating in the territory of the Member concerned. Any licenses or certificates or similar authorizations for the operation of private services in the territory are granted or renewed only after verification that the seafarer recruitment and placement service concerned meets the requirements of national laws and regulations.

**Methods to Achieve Compliance**

While supervision and control of seafarer recruitment and placement agencies is the responsibility of the relevant Member State, the shipowner should periodically verify that the manning agencies are licensed/certified and maintain a valid authorization.

**Sample Procedures**

The company should have a documented procedure for periodically verifying current licenses/certifications of manning agents.

**Sample Records**

- Records of certification of manning agencies
- Audit reports
**Title 1:** Minimum Requirements for Seafarers to Work on a Ship

**Recruitment and placement**

**Mandatory**

The competent authority shall ensure that adequate machinery and procedures exist for the investigation, if necessary, of complaints concerning the activities of seafarer recruitment and placement services, involving, as appropriate, representatives of shipowners and seafarers.

**Methods to Achieve Compliance**

Not applicable. This requirement is the responsibility of the competent authority in the flag State. However, the shipowner should address how any complaints and disputes involving recruitment activities will be handled.

**Sample Procedures**

No requirement for shipowner.

**Sample Records**

No requirement for shipowner.
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship
STD. 1.4.8 Recruitment and placement

Mandatory

Each Member which has ratified this Convention shall, in so far as practicable, advise its nationals on the possible problems of signing on a ship that flies the flag of a State which has not ratified the Convention, until it is satisfied that standards equivalent to those fixed by this Convention are being applied. Measures taken to this effect by the Member that has ratified this Convention shall not be in contradiction with the principle of free movement of workers* stipulated by the treaties to which the two States concerned may be parties.

Methods to Achieve Compliance

Not applicable. This requirement is the responsibility of the labor supplying Member State.

Sample Procedures

No requirement for shipowner.

Sample Records

No requirement for shipowner.

* The “principle of free movement of workers” is a term used by the European Union (EU); however, the principle could be universally applied. The essence of the principle is as follows: “Every citizen of the EU has the right to work and live in another Member State without being discriminated against on grounds of nationality.”
**TITLE 1: Minimum Requirements for Seafarers to Work on a Ship**

**STD. 1.4.9 Recruitment and placement**

**Mandatory**

*Each Member which has ratified this Convention shall require that shipowners of ships that fly its flag, who use seafarer recruitment and placement services based in countries or territories in which this Convention does not apply, ensure, as far as practicable, that those services meet the requirements of this Standard.*

**Methods to Achieve Compliance**

The shipowner should ensure that audits are conducted of manning agencies which are located in a country which has not ratified the Convention to verify that these placement services are in compliance with this standard.

**Sample Procedures**

The company should have a documented procedure regarding monitoring and auditing manning agencies which are based in a non-ratifying country.

**Sample Records**

- Audit reports


**TITLE 1: Minimum Requirements for Seafarers to Work on a Ship**

**Recruitment and placement**

**Mandatory**

*Nothing in this Standard shall be understood as diminishing the obligations and responsibilities of shipowners or of a Member with respect to ships that fly its flag.*

**Methods to Achieve Compliance**

The shipowner is reminded of the duty of seaworthiness and other relevant legal requirements.

**Sample Procedures**

The company should have documented procedures for verifying that ship certificates are valid and that seafarer competency requirements are defined.

**Sample Records**

- Ship certificates
- Marine licenses and other competency documents
- Seafarers’ medical certificates
TITLE 1: Minimum Requirements for Seafarers to Work on a Ship

**References**

**Reg. 1.1 – 1.2**

None identified at time of publication

**Reg. 1.3**

- ILO, Accident prevention on board ship and at sea and in port, 1996, Section 2.1.11
- ILO, Ambient Factors in the Workplace, 2001, Section 3.6, Training and information
- International Maritime Dangerous Goods Supplement, 2006
  - Labels, Marks, and Signs
  - Emergency Response Procedures for Ships Carrying Dangerous Goods
  - Recommendations on the Safe Use of Pesticides in Ships
  - Guidelines for a structure of an integrated system of contingency planning for shipboard emergencies

**Reg. 1.4**

- ISF, Guidelines on Good Employment Practice, 2001
  - Section 1.1, Union Membership and Affiliation
  - Section 1.2, Negotiating Arrangements and Collective Agreements
  - Section 2, Recruitment and Personnel Administration
**>Title 2: Conditions of Employment**

**Reg. 2.1** Seafarers’ employment agreements

**Purpose**
To ensure that seafarers have a fair employment agreement.

**Key Issues**

1. The terms and conditions for employment of a seafarer shall be set out or referred to in a clear written legally enforceable agreement and shall be consistent with the standards set out in the Code.

2. Seafarers’ employment agreements shall be agreed to by the seafarer under conditions which ensure that the seafarer has an opportunity to review and seek advice on the terms and conditions in the agreement and freely accepts them before signing.

3. To the extent compatible with the Member’s national law and practice, seafarers’ employment agreements shall be understood to incorporate any applicable collective bargaining agreements.
## TITLE 2: Conditions of Employment
### STD. 2.1.1 Seafarers’ employment agreements

### Mandatory

*Each Member shall adopt laws or regulations requiring that ships that fly its flag comply with the following requirements*

(a) *Seafarers working on ships that fly its flag shall have a seafarers’ employment agreement signed by both the seafarer and the shipowner or a representative of the shipowner (or, where they are not employees, evidence of contractual or similar arrangements) providing them with decent working and living conditions on board the ship as required by this Convention*

(b) *Seafarers signing a seafarers’ employment agreement shall be given an opportunity to examine and seek advice on the agreement before signing, as well as such other facilities as are necessary to ensure that they have freely entered into an agreement with a sufficient understanding of their rights and responsibilities;*

(c) *The shipowner and seafarer concerned shall each have a signed original of the seafarers’ employment agreement;*

(d) *Measures shall be taken to ensure that clear information as to the conditions of their employment can be easily obtained on board by seafarers, including the ship’s master, and that such information, including a copy of the seafarers’ employment agreement, is also accessible for review by officers of a competent authority, including those in ports to be visited; and*

(e) *Seafarers shall be given a document containing a record of their employment on board the ship.*

### Methods to Achieve Compliance

The shipowner should define payment intervals for the seafarers. The responsibility to review and audit the applicable collective agreement in accordance with the documented procedure for compliance should also be defined. Payments to seafarers should be at no greater interval than monthly and should also comply with the collective bargaining agreements in place.

The shipowner should provide employment agreements to each seafarer. The seafarer should acknowledge receipt of the employment agreements.

The shipowner should address any questions from seafarers on employment agreements. Shipowners can provide copies of the employment agreements to the master and maintain copies in the shore-side office. Job responsibilities for each seafarer position should be defined, and these should be provided directly to the seafarer or via a manning agency. The shipowner should exercise document control of information provided to manning agencies.

Where manning agents sign seafarer employment agreements on behalf of the shipowner, the responsibility of the manning agents should be clearly defined in the contractual agreements between the shipowner and the manning agents.

*Continued on next page*
**Title 2: Conditions of Employment**

**Seafarers’ employment agreements, Continued**

**Methods to Achieve Compliance (continued)**

The shipowner should verify that employment agreements are reviewed and signed by the seafarer. Record retention should be established.

The shipowner should maintain employment agreements on board with the master with copies provided to the seafarer. This agreement should be readily accessible to Flag and port State inspectors.

The shipowner should define the process of signing off seafarers at the end of a voyage or term of employment. This may be in the form of a continuous discharge certificate or continuous discharge book.

**Sample Procedures**

The company should have documented procedures regarding seafarer compensation and monitoring and auditing manning agencies.

The company should have documented procedures for handling employment agreements with seafarers and manning agencies.

The company should have a documented procedure regarding identifying the documents to be provided to seafarers during recruitment. A records retention procedure should be established.

The company should have a documented procedure for documenting seafarer employment on a continuous basis.

**Sample Records**

- Payroll records
- Collective bargaining agreements
- Audit reports
- Correspondence regarding seafarer questions asked and the responses given
- Copies of signed employment agreements
- Training Record Book
- Copies of discharge certificate or book
**Title 2: Conditions of Employment**

**STD. 2.1.2 Seafarers’ employment agreements**

**Mandatory**

Where a collective bargaining agreement forms all or part of a seafarers’ employment agreement, a copy of that agreement shall be available on board. Where the language of the seafarers’ employment agreement and any applicable collective bargaining agreement is not in English, the following shall also be available in English (except for ships engaged only in domestic voyages):

(a) a copy of a standard form of the agreement; and

(b) the portions of the collective bargaining agreement that are subject to a port State inspection under Regulation 5.2.

**Methods to Achieve Compliance**

The shipowner should verify that the seafarers’ employment agreement is maintained on board the ship. The agreement may be in a language other than English, but on international voyages, an English version must be provided. The shipowner should verify that the standard form of the agreement is on board the ship. Both of these documents should be controlled.

In reference to Regulation 5.2, there are two main reasons for a port State inspection under this Convention: regular inspection and as a result of information or a complaint regarding the living and working conditions on the ship. In the latter, the shipowner must provide a mechanism for seafarers to make complaints as appropriate. Port State control will evaluate implementation of this mechanism when a complaint is registered with port State control.

**Sample Procedures**

The company should establish a documented procedure with manning agents to verify that employment agreements are maintained in the shore-side office and on board each applicable ship.

**Sample Records**

- Copy of standard form of employment agreement
- Employment agreement in English; it may be additionally in another working language
**TITLE 2: Conditions of Employment**

**STD. 2.1.3 Seafarers’ employment agreements**

**Mandatory**

The document referred to in paragraph 1(e) of this Standard shall not contain any statement as to the quality of the seafarers’ work or as to their wages. The form of the document, the particulars to be recorded and the manner in which such particulars are to be entered, shall be determined by national law.

**Methods to Achieve Compliance**

The shipowner should maintain records of a seafarer’s employment in accordance with national laws. These records should not contain any remarks regarding quality of the seafarer’s work.

**Sample Procedures**

The company should establish a documented procedure to advise the master and manning agents how employment records of seafarers must be maintained.

**Sample Records**

- Employment records
- Continuous discharge certificate or book
TITLE 2: Conditions of Employment
STD. 2.1.4 Seafarers’ employment agreements

Mandatory
Each Member shall adopt laws and regulations specifying the matters that are to be included in all seafarers’ employment agreements governed by its national law. Seafarers’ employment agreements shall in all cases contain the following particulars:

(a) the seafarer’s full name, date of birth or age, and birthplace;
(b) the shipowner’s name and address;
(c) the place where and date when the seafarer’s employment agreement is entered into;
(d) the capacity in which the seafarer is to be employed;
(e) the amount of the seafarer’s wages or, where applicable, the formula used for calculating them;
(f) the amount of paid annual leave or, where applicable, the formula used for calculating it;
(g) the termination of the agreement and the conditions thereof, including:
   (i) if the agreement has been made for an indefinite period, the conditions entitling either party to terminate it, as well as the required notice period, which shall not be less for the shipowner than for the seafarer;
   (ii) if the agreement has been made for a definite period, the date fixed for its expiry; and
   (iii) if the agreement has been made for a voyage, the port of destination and the time which has to expire after arrival before the seafarer should be discharged;
(h) the health and social security protection benefits to be provided to the seafarer by the shipowner;
(i) the seafarer’s entitlement to repatriation;
(j) reference to the collective bargaining agreement, if applicable; and
(k) any other particulars which national law may require.

Methods to Achieve Compliance
The shipowner should define the process of how wages and other additional payments are made; how the rates of exchange are determined; and how allotments from seafarers’ wages are to be handled and recorded.

The shipowner should periodically review national laws to ensure that format and content of the document to be used for employment records complies with the national requirements, as amended.

Continued on next page
The shipowner should define the process to transfer earnings to families as per the seafarers’ instructions. These earnings could be transferred to the family, dependants, or legal beneficiaries and relevant records maintained.

The shipowner should address wage calculations for seafarers within the employment agreement or within shipowner procedures. In any event, the information should be made available to the seafarer.

The shipowner should define the responsibility of personnel so that changes in official published wage rates are incorporated, as applicable, into the shipowner employment agreements or within the shipowner documented procedures, as applicable.

The shipowner should address annual leave entitlement for seafarers within the employment agreement. In any event, the information should be made available to the seafarer.

The shipowner should address termination agreements and conditions for seafarers within the employment agreement. In any event, the information should be made available to the seafarer.

The shipowner should address health and security protection benefits for seafarers within the employment agreement. In any event, the information should be made available to the seafarer.

The shipowner should address repatriation for seafarers within the employment agreement. In any event, the information should be made available to the seafarer.

The shipowner is required to address flag State regulations concerning collective bargaining agreements into documented procedures and implemented accordingly. These procedures should be audited periodically.

The shipowner should periodically review national laws regarding seafarer employment so that applicable requirements are incorporated and implemented accordingly.

The company should have documented procedures regarding seafarer compensation, payroll deductions, leave calculations, termination of employment, benefits, and repatriation.

The company should have documented procedures regarding internal auditing of the management system. The company should have documented procedures for the monitoring and maintenance of access to and integration of current flag State and other applicable regulations into the management system.

Continued on next page
TITLE 2: Conditions of Employment
STD. 2.1.4 Seafarers’ employment agreements, Continued

Sample Records

- Records of collective bargaining agreements
- Wages and additional payment records
- Exchange rate(s) applied, if applicable
- Training Record Book
- Employment records
- Allotment authorizations
- Allotment records
- Employment agreements
- Crew list
- Payroll records
- Audit reports
- Accounting transactions demonstrating payment made and receipt obtained by person(s) authorized by the seafarer
- Wage calculation information in employment contracts or in documented procedures
- Records of changes to seafarer official wage rates
- Records of reviews of flag State regulations related to collective bargaining agreements
**TITLE 2: Conditions of Employment**

**STD. 2.1.5 Seafarers’ employment agreements**

**Mandatory**

*Each Member shall adopt laws or regulations establishing minimum notice periods to be given by the seafarers and shipowners for the early termination of a seafarers’ employment agreement. The duration of these minimum periods shall be determined after consultation with the shipowners’ and seafarers’ organizations concerned, but shall not be shorter than seven days.*

**Methods to Achieve Compliance**

The shipowner should define the minimum notice period required for early termination of a seafarer employment agreement so that all applicable requirements are incorporated and implemented accordingly.

**Sample Procedures**

The company should have documented procedures regarding seafarer termination.

**Sample Records**

- Reviews of flag State regulations related to collective bargaining agreements
- Notices of early termination
TITLE 2: Conditions of Employment
STD. 2.1.6 Seafarers’ employment agreements

Mandatory

A notice period shorter than the minimum may be given in circumstances which are recognized under national law or regulations or applicable collective bargaining agreements as justifying termination of the employment agreement at shorter notice or without notice. In determining those circumstances, each Member shall ensure that the need of the seafarer to terminate, without penalty, the employment agreement on shorter notice or without notice for compassionate or other urgent reasons is taken into account.

Methods to Achieve Compliance

The shipowner should define conditions under which shorter notice of termination may be given in accordance with national laws and collective bargaining agreements. The shipowner should consider listing these conditions in their instructions to the master and/or company procedures. Provision should be made for release of a seafarer, without penalty, for early termination of a seafarer agreement in accordance with national laws and/or collective bargaining agreements.

Sample Procedures

The company should have a documented procedure regarding termination of seafarer employment.

Sample Records

- Notifications of employee termination
**TITLE 2:** Conditions of Employment  
**REG. 2.2** Wages

<table>
<thead>
<tr>
<th>Purpose</th>
<th>To ensure that seafarers are paid for their services.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key Issues</td>
<td>All seafarers shall be paid for their work regularly and in full in accordance with their employment agreements.</td>
</tr>
</tbody>
</table>
TITLE 2: Conditions of Employment

Wages

Mandatory

Each Member shall require that payments due to seafarers working on ships that fly its flag are made at no greater than monthly intervals and in accordance with any applicable collective agreement.

Methods to Achieve Compliance

The shipowner should define payment arrangements for seafarers and this information should be made available to the seafarer.

The shipowner should define responsibility and the process for accessing relevant legislation and collective bargaining agreements relevant to seafarer compensation.

The normal work hours in port and at sea are considered to be eight hours per day. The shipowner should verify that STCW and ILO rest periods are honored and tracked.

The shipowner should ascertain how national laws or regulations calculate the number of normal working hours per week. Any overtime payments should not exceed 48 hours per week. Collective bargaining agreements may differ on requirements, but may in no way be less favorable to the seafarer in this respect.

Overtime rates should not be less than one and one-quarter times the basic pay or wages per hour. National laws or collective bargaining agreements should be referenced. Overtime records should be maintained by the master, or designate, and endorsed by the seafarer at no more than monthly intervals.

Internal audits should be periodically conducted to verify that the shipowners’ procedures and national requirements are adequately implemented.

Sample Procedures

The company should have a documented procedure regarding seafarer compensation.

Sample Records

- Collective agreements
- Payroll records
- Timesheets
- Authorization by the seafarer for means of payment, i.e., check, direct deposit, money order, cash, allotments
- Audit records (both financial and management system)
- Periodic reviews of national laws and regulations records
**TITLE 2: Conditions of Employment**

**STD. 2.2.2 Wages**

**Mandatory**

*Seafarers shall be given a monthly account of the payments due and the amounts paid, including wages, additional payments and the rate of exchange used where payment has been made in a currency or at a rate different from the one agreed to.*

**Methods to Achieve Compliance**

The shipowner should clearly specify the number of hours to be worked for any associated remuneration in the seafarers’ employment agreement. Any additional allowances should also be specified. These specifications may be contained within a collective bargaining agreement.

The shipowner should define the process for calculating pay remuneration based upon exchange rates. Remuneration, including payment of overtime, should be tracked and endorsed by the seafarer at no more than a monthly frequency. If payment is made in a currency different from the currency specified in the employment agreement, the exchange rate should be clearly specified.

Wages established for the seafarer should not be less than the applicable minimum wage established under the national regulations.

The shipowner should audit payroll records against documented procedures.

**Sample Procedures**

The company should have documented procedures regarding seafarer compensation and internal audits of the management system.

**Sample Records**

- Seafarer employment agreements, both on the ship and with the shipowner
- Payroll records
- Timesheets
- Exchange rate calculations and records
- Payment address information for the seafarer
- Records of minimum wage calculation criteria
- Audit records
### TITLE 2: Conditions of Employment

#### STD. 2.2.3 Wages

<table>
<thead>
<tr>
<th>Mandatory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each Member shall require that shipowners take measures, such as those set out in paragraph 4 of this Standard, to provide seafarers with a means to transmit all or part of their earnings to their families or dependants or legal beneficiaries.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Methods to Achieve Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>The shipowner should review and implement any national requirements related to seafarer wages and means to transmit these earnings to their families or legal beneficiaries.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>The company should have documented procedures on payroll deductions, seafarer compensation, and payroll distribution options.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample Records</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Payroll records</td>
</tr>
<tr>
<td>• Official logbook entries</td>
</tr>
<tr>
<td>• Authorization by the seafarer for means of payment, i.e., check, direct deposit, money order, cash, allotments</td>
</tr>
</tbody>
</table>
TITLE 2: Conditions of Employment
STD. 2.2.4 Wages

Mandatory

Measures to ensure that seafarers are able to transmit their earnings to their families include:

(a) a system for enabling seafarers, at the time of their entering employment or during it, to allot, if they so desire, a proportion of their wages for remittance at regular intervals to their families by bank transfers or similar means; and

(b) a requirement that allotments should be remitted in due time and directly to the person or persons nominated by the seafarers.

Methods to Achieve Compliance

Payment Methods and Allotments

The shipowner should identify the various payment options that are available to the seafarer. The shipowner should maintain access to national regulations regarding taxes, maximum deductions allowed, etc. The shipowner should define the prohibition of deductions in respect to obtaining or retaining employment.

The seafarer should be free to dispose of earned remuneration in any manner. However, there may be extenuating circumstances that allow for deductions. There may be national laws or regulations or requirements within collective bargaining agreements that supersede the seafarer’s freedom to full disposal of remuneration. The seafarer should be so informed. Total deductions should not exceed national limits or laws, collective agreements, or court decisions.

The shipowner should define how to handle legal requirements or court orders concerning the seafarer. Examples include national and state taxes, child support obligations, medical/dental insurance premiums, union dues, payroll taxes, etc.

Fines

The shipowner should identify what constitutes authorized fines against seafarers. This information should be communicated to the seafarer. Reference should be made to national regulations under this subject.

Claims

The shipowner should provide for the protection of seafarer claims for wages and other remuneration under ILO Convention No. 173 regarding “Protection of Workers’ Claims (Employer’s Insolvency)” whereby “workers’ claims arising out of their employment shall be protected by a privilege so that they are paid out of the assets of the insolvent employer before non-privileged creditors can be paid their share.” Claims secured under the “International Convention on Maritime Liens and Mortgages” would not therefore be accepted.

Stores and Services

The shipowner should require reasonable prices to be charged for stores (i.e., slop chest) and services provided on board.

Continued on next page
Sample Procedures

The company should have documented procedures regarding seafarer holidays and days of rest, seafarer compensation, seafarer termination, payroll distribution options and payroll deductions, management of change, and monitoring and maintenance of access to and integration of current flag State and other applicable regulations. Documented procedures for the employment process with manning agents and for internal auditing of the management system should be established. The company should have a documented procedure for translating documents into applicable languages on board the ship and for slop chest and ship services to seafarers.

Sample Records

- Time sheets
- Payroll records
- Copies of reviews of national legislation
- Demographic employment records
- Employment agreement kept with the shipowner and on the ship
- Wage information in English and translated into other languages as appropriate
- Translation authentication records
- Copies of signed receipts of wage information
- If posted, copies of posted information to be held by the ship and the shipowner
- Signed copies of payment arrangements with the seafarer
- Audit records
- Reconciliation results, including corrective action and follow-up, if necessary
- Competent authority in the flag State actions against the shipowner, if any
- Payment routing authorization forms, signed by the seafarer
- Copies of collective bargaining agreements
- Copies of court orders
- Copies of signed forms for elective payroll deductions
- Payroll tax records payable to government entities
- Year-end (voyage) reconciliation records of wages, overtime and deductions
- Management of change records that indicate how changes in legislation, or other shipowner requirements, are incorporated into the management system
- Correspondence supporting the issuance of fines to seafarers
- Slop chest account records (i.e., cost of stores sold, sales records, etc.)
- Inventory records
- Exchange rate records
- Copies of complaints and disputes
TITLE 2: Conditions of Employment  
STD. 2.2.5 Wages

Mandatory

Any charge for the service under paragraphs 3 and 4 of this Standard shall be reasonable in amount, and the rate of currency exchange, unless otherwise provided, shall, in accordance with national laws or regulations, be at the prevailing market rate or the official published rate and not unfavourable to the seafarer.

Methods to Achieve Compliance

The shipowner should define a method of calculating exchange rate where payments are made in a currency other than the currency noted in the seafarer agreement. Any charge for transmitting wages to seafarers’ families or designated beneficiaries should be clearly specified and must be in accordance with national requirements and/or collective bargaining agreements, as applicable.

Sample Procedures

The company should have a documented procedure regarding seafarer compensation.

Sample Records

- Complaint records
- Resolution records
- Exchange rate calculation
- Payroll records
- Allotment records
- Confirmation of payment from the bank
TITLE 2: Conditions of Employment

STD. 2.2.6 Wages

Mandatory

Each Member that adopts national laws or regulations governing seafarers’ wages shall give due consideration to the guidance provided in Part B of the Code.

Methods to Achieve Compliance

While Member States are responsible for developing national laws or regulations, the shipowner should review the flag administration’s national requirements and/or collective bargaining agreements for compliance with the relevant laws and practices of the flag State.

Compensation

The shipowner should implement and periodically review national legislation to verify that the wages are paid in accordance with national requirements and seafarer’s agreements.

Several principles should be employed by the shipowner so that the seafarer is fairly compensated for labor. These principles may be established in documented procedures or through employment contracts.

The shipowner should define the ethical criteria for hiring and compensating seafarers equally without discrimination due to race, color, sex, religion, political opinion, national extraction, or social origin. National legislations should be considered.

The shipowner should identify how payment is affected for holidays and days of rest.

The shipowner should define the types of information that should be translated into other languages regarding wages. The process should include an authentication process of the translations performed, both from the technical aspect and also considering industrial vernacular. Relevant information includes employment agreements and applicable wage or wage rates. This information may be provided individually to each seafarer for signature or by posting a copy of the agreements in readily accessible places, e.g., galley or crew recreation room.

The shipowner should define the finalization of payment obligations, including the time to make the final payment. Final payment should be made without undue delay and the seafarer notified upon completion of payment.

The shipowner should periodically audit the payroll records, preferably monthly, and perform reconciliation techniques on the payroll.

Minimum Wage

The shipowner should identify national regulations regarding calculation of minimum wages to be paid to seafarers. The calculation information should be made readily available to the seafarer by posting on the ship, by receipt of the procedure which describes the calculations, or by receipt of the employment agreement if the information is contained within. The minimum wage level should take into account the nature of maritime employment, crewing levels, and the seafarers’ normal hours of work. Cost of living increases should be taken into account on a periodic basis.

Continued on next page
Title 2: Conditions of Employment

Wages, Continued

Methods to Achieve Compliance (continued)

Minimum monthly basic pay or wage figure for able seafarers

Where a minimum monthly basic pay or wage is determined by national regulations or collective bargaining agreements, the shipowner should develop processes for the payment of wages to seafarers at not less than the stipulated amount.

Sample Procedures

The company should have a documented procedure regarding seafarer compensation.

Sample Records

Minimum Wage

- Payroll records
- Records indicating reviews of legislation which establishes minimum wages for seafarers
- International labor standards (documents of external origin)
- Reviews of cost of living increases
- Copies of each ship’s minimum safe manning certificate
- Correspondence regarding legal actions regarding seafarer wages
- Time sheets

Minimum monthly basic pay or wage figure for able seafarers

- National regulations
- Collective bargaining agreements
- Management of change process documentation incorporating new requirements into the management system
- Correspondence with competent authorities
TITLE 2: Conditions of Employment
REG. 2.3 Hours of work and hours of rest

Purpose
To ensure that seafarers have regulated hours of work or hours of rest.

Key Issues
1. Each Member shall ensure that the hours of work or hours of rest for seafarers are regulated.
2. Each Member shall establish maximum hours of work or minimum hours of rest over given periods that are consistent with the provisions in the Code.
TITLE 2: Conditions of Employment
STD. 2.3.1 Hours of work and hours of rest

Mandatory

For the purpose of this Standard, the term:

(a) hours of work means time during which seafarers are required to do work on account of the ship;

(b) hours of rest means time outside hours of work; this term does not include short breaks.

Methods to Achieve Compliance

The shipowner should define a method of tracking seafarers’ hours of work and rest. The work and rest periods must be recorded in accordance with flag administration’s requirements.

The shipowner should define the conditions of work and training for seafarers under the age of 18. These seafarers should not normally work more than eight hours per day and 40 hours per week. Overtime should not be worked unless unavoidable for safety reasons. The seafarer under the age of 18 should be afforded at least one hour for the main meal break and sufficient time for all other meals. After working continuously for two hours, these seafarers should be provided with a 15-minute rest period. This procedure should be periodically audited.

Sample Procedures

The company should have documented procedures regarding hours of work and rest, particularly for seafarers under the age of 18, and for internal auditing of the system being used for recording seafarers’ hours of work and rest.

Sample Records

- Timesheets
- Payroll records
- Audit reports
TITLE 2: Conditions of Employment
STD. 2.3.2 Hours of work and hours of rest

Mandatory

Each Member shall within the limits set out in paragraphs 5 to 8 of this Standard fix either a maximum number of hours of work which shall not be exceeded in a given period of time, or a minimum number of hours of rest which shall be provided in a given period of time.

Methods to Achieve Compliance

The shipowner should define the criteria for regulating hours of work or rest for seafarers on board. Exception to the conditions of work may be made if they are impracticable for seafarers under the age of 18 in the deck, engine, and catering departments if assigned to a watch or rostered shift work system. Another exception to the working conditions can be made if effective training would be impaired.

Exceptional situations could include operational requirements such as mooring/unmooring the ship. Where exceptions are made to seafarers’ condition of work, and criteria for hours of work or rest, the master should record such exceptions and identify the reason.

Sample Procedures

The company should have documented procedures regarding work and rest periods, training and competency requirements, and monitoring and maintenance of access to and integration of current flag State and other applicable regulations related to hours of work and rest, including application of these procedures during emergency situations.

Sample Records

- Payroll records
- Watchkeeping schedules
- Training records
- Copies of collective agreements
- Records of exceptions with reasons, signed by the master
- Time sheets
### TITLE 2: Conditions of Employment

#### STD. 2.3.3 Hours of work and hours of rest

**Mandatory**

*Each Member acknowledges that the normal working hours’ standard for seafarers, like that for other workers, shall be based on an eight-hour day with one day of rest per week and rest on public holidays. However, this shall not prevent the Member from having procedures to authorize or register a collective agreement which determines seafarers’ normal working hours on a basis no less favourable than this standard.*

**Methods to Achieve Compliance**

The shipowner should define and communicate working arrangements to the seafarer. Seafarers should not be required to work in excess of an eight-hour day with one day of rest per week and rest on public holidays. Refer to Regulation 2.2 on wages for more information whenever work in excess of this time is conducted.

**Sample Procedures**

The company should have a documented procedure regarding hours of work and rest and communicate this information to the seafarers.

**Sample Records**

- Payroll records
- Time sheets
- Collective bargaining agreements
TITLE 2: Conditions of Employment

Hours of work and hours of rest

Mandatory

In determining the national standards, each Member shall take account of the danger posed by the fatigue of seafarers, especially those whose duties involve navigational safety and the safe and secure operation of the ship.

Methods to Achieve Compliance

The shipowner should address national standards for fatigue when developing procedures for hours of work or rest for personnel involved with the safe operation of the ship.

Other aspects to consider include physical labor requirements, weather, heat, cold, stress, duration of work, etc. Emergency situations include the following: fire, injury to personnel, ship collision and damage, oil spills, evacuation, etc. All seafarers, regardless of age, have an obligation to perform work during emergency situations.

Sample Procedures

The company should have documented procedures regarding hours of work and rest, taking into account potential for fatigue and emergency situations. Procedures should also address monitoring and integrating current flag State and other applicable regulations regarding hours of work and rest.

Sample Records

- Logbooks: deck, engine, official
- Radio communications
- Emergency drill records
- Timesheets
**Conditions of Employment**

**Hours of work and hours of rest**

**Mandatory**

The limits on hours of work or rest shall be as follows:

(a) maximum hours of work shall not exceed:

(i) 14 hours in any 24-hour period; and

(ii) 72 hours in any seven-day period;

or

(b) minimum hours of rest shall not be less than:

(i) ten hours in any 24-hour period; and

(ii) 77 hours in any seven-day period.

**Methods to Achieve Compliance**

The shipowner should implement and communicate the national requirements for hours of work and rest to the seafarer and the seafarers’ organization.

The shipowner should document and implement a method of recording hours of work or hours of rest in accordance with the flag administration’s requirements. The criteria for recording hours of work or rest should be documented, including procedures and checks carried out to verify continued compliance with national regulations.

**Sample Procedures**

The company should have documented procedures for implementing flag administration’s requirements regarding hours of work and rest and for conducting internal audits to confirm that the requirements of seafarers work schedules and hours of rest are implemented.

**Sample Records**

- Posted schedules of work
- Audits of time sheets and payroll records
- Correspondence with seafarers’ organizations on this subject
### TITLE 2: Conditions of Employment

#### STD. 2.3.6 Hours of work and hours of rest

**Mandatory**

*Hours of rest may be divided into no more than two periods, one of which shall be at least six hours in length, and the interval between consecutive periods of rest shall not exceed 14 hours.*

**Methods to Achieve Compliance**

The shipowner may establish the traditional four-hours on and eight-hours off scheduling for watchstanders or any other comparable system that meets the above requirement.

**Sample Procedures**

The company should have a documented procedure regarding hours of work and rest.

**Sample Records**

- Time sheets
- Payroll records
- Logbooks
**TITLE 2: Conditions of Employment**

**STD. 2.3.7 Hours of work and hours of rest**

**Mandatory**

Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations and by international instruments, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.

**Methods to Achieve Compliance**

Drills should be scheduled for different times of the day so that seafarers on rest periods during certain watch schedules are not always adversely affected. Caution should be used when conducting drills at night or where such activities may induce fatigue.

**Sample Procedures**

The company should have a documented procedure for conducting emergency drills and training which include provisions that minimize the disturbances during rest periods.

**Sample Records**

- Logbooks
- Drill records
**TITLE 2: Conditions of Employment**

**STD. 2.3.8 Hours of work and hours of rest**

**Mandatory**

*When a seafarer is on call, such as when a machinery space is unattended, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.*

**Methods to Achieve Compliance**

The shipowner should provide compensatory rest periods for on-call seafarers who are required to work during normal rest periods.

**Sample Procedures**

The company should have a documented procedure regarding hours of work and rest. The procedure should address requirements for compensatory rest for seafarers who may be called out for work during their normal rest periods.

**Sample Records**

- Time sheets
- Logbooks
**Title 2: Conditions of Employment**

**Std. 2.3.9 Hours of work and hours of rest**

<table>
<thead>
<tr>
<th>Mandatory</th>
</tr>
</thead>
<tbody>
<tr>
<td>If no collective agreement or arbitration award exists or if the competent authority determines that the provisions in the agreement or award in respect of paragraph 7 or 8 of this Standard are inadequate, the competent authority shall determine such provisions to ensure the seafarers concerned have sufficient rest.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Methods to Achieve Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where provisions for compensatory rest periods are not addressed in collective bargaining agreements, the shipowner should review and implement national requirements so that seafarers are afforded sufficient rest and are not fatigued due to disturbances during normal hours of rest.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>The company should have documented procedures regarding hours of work and rest including monitoring and integration of current flag State and other applicable regulations.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample Records</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Records of reviews of relevant legislation</td>
</tr>
<tr>
<td>• Time sheets</td>
</tr>
</tbody>
</table>
TITLE 2: Conditions of Employment

STD. 2.3.10 Hours of work and hours of rest

**Mandatory**

*Each Member shall require the posting, in an easily accessible place, of a table with the shipboard working arrangements, which shall contain for every position at least:*

(a) *the schedule of service at sea and service in port; and*

(b) *the maximum hours of work or the minimum hours of rest required by national laws or regulations or applicable collective agreements.*

**Methods to Achieve Compliance**

The shipowner should post the schedule of shipboard working arrangements on each ship in easily accessible places such as the galley, crew/officer recreation rooms, etc. The shipowner should periodically review national legislation to verify that the shipowner’s procedures are in compliance with the legislation. Personnel should be assigned responsibility for this task. Alternatively, the shipowner may subscribe to organizations that continually monitor national legislation on behalf of the industry. Some of these organizations include the International Association of Drilling Contractors (IADC), International Chamber of Shipping (ICS), and the International Shipping Federation (ISF).

**Sample Procedures**

The company should have documented procedures regarding hours of work and rest, and monitoring and integration of current flag State requirements and other applicable regulations related to hours of work and rest.

**Sample Records**

- Posted information (dated) to represent current working arrangements
### Conditions of Employment

#### Hours of work and hours of rest

**Mandatory**

*The table referred to in paragraph 10 of this Standard shall be established in a standardized format in the working language or languages of the ship and in English.*

**Methods to Achieve Compliance**

The shipowner should specify the working language on board each vessel. Translations into other languages should be authenticated.

A schedule of service at sea and in port, including maximum hours of work or minimum hours of rest must be posted in the working language of the ship and in English.

**Sample Procedures**

The company should have a documented procedure regarding hours of work and rest and monitoring and integration of current flag State requirements and other applicable regulations related to hours of work and rest.

**Sample Records**

- Posted information
- Information posted in the working language on board and in English, if working language is other than English
**TITLE 2: Conditions of Employment**

**Std. 2.3.12 Hours of work and hours of rest**

**Mandatory**

Each Member shall require that records of seafarers’ daily hours of work or of their daily hours of rest be maintained to allow monitoring of compliance with paragraphs 5 to 11 [2.3.5 to 2.3.11] inclusive of this Standard. The records shall be in a standardized format established by the competent authority taking into account any available guidelines of the International Labour Organization or shall be in any standard format prepared by the Organization. They shall be in the languages required by paragraph 11 of this Standard. The seafarers shall receive a copy of the records pertaining to them which shall be endorsed by the master, or a person authorized by the master, and by the seafarers.

**Methods to Achieve Compliance**

The shipowner should incorporate the requirements of Standard A/2.3.5 to Standard A/2.3.12. The shipowner should cross-reference the related procedures if more than one procedure is established. The shipowner should provide the seafarer with a copy of any relevant procedure(s) related to seafarer working conditions, including hours of work and rest.

**Sample Procedures**

The company should have a documented procedure that identifies documents to provide manning agencies for further distribution to seafarers related to hours of work and rest.

**Sample Records**

- Copies of documents demonstrating that the seafarer has received copies of relevant information (records could be maintained on board)
TITLE 2: Conditions of Employment
STD. 2.3.13 Hours of work and hours of rest

Mandatory

Nothing in paragraphs 5 and 6 of this Standard shall prevent a Member from having national laws or regulations or a procedure for the competent authority to authorize or register collective agreements permitting exceptions to the limits set out. Such exceptions shall, as far as possible, follow the provisions of this Standard but may take account of more frequent or longer leave periods or the granting of compensatory leave for watchkeeping seafarers or seafarers working on board ships on short voyages.

Methods to Achieve Compliance

The shipowner should define the responsibility of personnel and the process for periodically accessing and subsequently implementing relevant flag State regulations.

The shipowner may have some flexibility to modify limitations of hours of work or rest imposed by this Convention on board ships which are on short voyages provided these exceptions are authorized by the competent authority in the flag State.

Sample Procedures

The company should have documented procedures regarding hours of work and rest and for monitoring and integration of current flag State and other applicable regulations related to hours of work and rest, including any exceptions which may be allowed under special conditions.

Sample Records

- Time sheets
- Collective agreements
- Records of reviews of legislation
- Schedule of hours of work and rest including allowed exceptions, if any
**Title 2: Conditions of Employment**

**Hours of work and hours of rest**

**Mandatory**

Nothing in this Standard shall be deemed to impair the right of the master of a ship to require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. Accordingly, the master may suspend the schedule of hours of work or hours of rest and require a seafarer to perform any hours of work necessary until the normal situation has been restored. As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest.

**Methods to Achieve Compliance**

The shipowner should adopt procedures that shall not impair the master in carrying out duties pertaining to the immediate safety of the ship or providing assistance to persons and cargo on board, or to other ships or persons at sea. The shipowner should clearly define that work schedules may be suspended in support of the above activities until such time as normal conditions are restored. The shipowner should also call for the master to assess the need for seafarers to receive adequate periods of rest when normal conditions are restored.

**Sample Procedures**

The company should have a documented procedure regarding responsibility and authority of the master. The procedures should include guidance to the master related to seafarers’ condition of employment, hours of work and rest, any exceptions allowed, etc.

**Sample Records**

- Time sheets
- Logbooks
TITLE 2: Conditions of Employment
REG. 2.7 Manning levels

Purpose
To ensure that seafarers work on board ships with sufficient personnel for the safe, efficient and secure operation of the ship.

Key Issues
1. Each Member shall require that all ships that fly its flag have a sufficient number of seafarers employed on board to ensure that ships are operated safely, efficiently and with due regard to security under all conditions, taking into account concerns about seafarer fatigue and the particular nature and conditions of the voyage.
**Title 2: Conditions of Employment**

**STD. 2.7.1 Manning levels**

**Mandatory**

Each Member shall require that all ships that fly its flag have a sufficient number of seafarers on board to ensure that ships are operated safely, efficiently and with due regard to security. Every ship shall be manned by a crew that is adequate, in terms of size and qualifications, to ensure the safety and security of the ship and its personnel, under all operating conditions, in accordance with the minimum safe manning document or an equivalent issued by the competent authority, and to comply with the standards of this Convention.

**Methods to Achieve Compliance**

The shipowner should define the responsibility and process for assigning seafarers to the ship that have proper credentials and competency as per STCW and shipowner policy. The shipowner should verify that the applicable minimum safe manning certificate (MSMC) or certificate of inspection (COI) is carried on board the ship. The shipowner should establish a means to ascertain the identity of the seafarers assigned to the ship for security purposes.

The shipowner should verify that the ship is manned in accordance with national requirements defined in the safe manning document.

**Sample Procedures**

The company should have a documented procedure describing the process for maintaining adequate manning levels in accordance with current flag State requirements and other applicable regulations, taking into account operating conditions of the ship.

**Sample Records**

- Originals of Minimum Safe Manning Certificate (MSMC) or Certificate of Inspection (COI) on board the ship (the shipowner should maintain copies in shore-side office)
- Copies of seafarer identity documents, examples: the US Transportation Workers Identification Credential (TWIC) or the Seafarers’ Identity Document (SID) under ILO C185
- Crew list
- Qualification documents (STCW, seaman book, etc.)
**Mandatory**

*When determining, approving or revising manning levels, the competent authority shall take into account the need to avoid or minimize excessive hours of work to ensure sufficient rest and to limit fatigue, as well as the principles in applicable international instruments, especially those of the International Maritime Organization, on manning levels.*

---

**Methods to Achieve Compliance**

Where manning levels are found to be inadequate to limit fatigue, the shipowner should increase manning to avoid excessive hours of work.

When increasing manning levels, the shipowner should allow and implement requirements for accommodation spaces, food, water, safety, etc., as may be required by the Convention, SOLAS, MARPOL, etc.

---

**Sample Procedures**

The company should have a documented procedure describing the process for maintaining adequate manning levels in accordance with current flag State requirements and other applicable regulations, taking into account operating conditions of the ship. Situations when the vessel is required to sail short of the full complement of seafarers should be addressed.

---

**Sample Records**

- Crew lists
- Copies of seafarer licenses or certificates
- Training certificates
- Work schedules
- Originals of Minimum Safe Manning Certificate (MSMC) or Certificate of Inspection (COI) on board the ship and in the shipowner’s shore-side office
Title 2: Conditions of Employment

Manning levels

Mandatory

When determining manning levels, the competent authority shall take into account all the requirements within Regulation 3.2 and Standard A3.2 concerning food and catering.

Methods to Achieve Compliance

While it is the responsibility of the flag State to determine minimum manning levels on board each vessel, taking into account the requirements of Regulation 3.2 and Standard A/3.2, the shipowner should periodically review flag State requirements so that food, water, and catering services are taken into account when addressing manning requirements on ships. The shipowner should provide for any complaints brought forward regarding food and catering to be addressed in the corrective action system.

Sample Procedures

The company should have a documented procedure for ensuring that flag State requirements related to food, catering, and drinking water are addressed and implemented on board.

Sample Records

• Crew list
• Payroll records
• Crew complaints
• Minimum Safe Manning Certificates (MSNC)
TITLE 2: Conditions of Employment

References

Reg. 2.1
- Guidelines on Good Employment Practice, 2001
  - Section 1.1, Union Membership and Affiliation
  - 1.2, Negotiating Arrangements and Collective Agreements
  - 2, Recruitment and Personnel Administration
  - 3, General Conditions of Employment
  - 4, Health, Safety, and Welfare
- Accident prevention on board ship at sea and in port, 1996, section 2.5, General duties and responsibilities of seafarers

Reg. 2.2
  - 1.1, Union Membership and Affiliation
  - 1.2, Negotiating Arrangements and Collective Agreements
  - 2, Recruitment and Personnel Administration
  - 3, General Conditions of Employment
- International Convention on Maritime Liens and Mortgages, 1993
  - Article 4, Maritime liens
  - Article 5, Priority of maritime liens
  - Article 12, Effects of forced sale

Reg. 2.3
  - 1.1, Union Membership and Affiliation
  - 1.2, Negotiating Arrangements and Collective Agreements
  - 2, Recruitment and Personnel Administration
  - 3, General Conditions of Employment
- IMO/ILo Seafarers’ Hours of Work and Hours of Rest, 1999
  - Section 10, Guidance on the development of a table of shipboard working arrangements
  - Section 16, Guidance for the development of formats of the records of seafarer’s hours of work or their hours of rest
- IMO International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended
  - Paragraph 1.3.4, Ship Reporting Systems
  - Paragraph 1.3.6, Global Marine Distress and Safety System (GMDSS)
  - Paragraph 1.3.10, Aeronautical Systems (VHF Radios)

Reg. 2.7
- IMO Principles of Safe Manning (Resolution A.890(21)), 1999
- IMO Principles of Safe Manning (Resolution A.955(23)) Amendments to Principles of Safe Manning
TITLE 3: Accommodation, Recreational Facilities, Food and Catering
REG. 3.1 Accommodation and recreational facilities

Purpose
To ensure that seafarers have decent accommodation and recreational facilities on board.

Key Issues
1. Each Member shall ensure that ships that fly its flag provide and maintain decent accommodations and recreational facilities for seafarers working or living on board, or both, consistent with promoting the seafarers’ health and well-being.

2. The requirements in the Code implementing this Regulation which relate to ship construction and equipment apply only to ships constructed on or after the date when this Convention comes into force for the Member concerned. For ships constructed before that date, the requirements relating to ship construction and equipment that are set out in the Accommodation of Crews Convention (Revised), 1949 (No. 92), and the Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133), shall continue to apply to the extent that they were applicable, prior to that date, under the law or practice of the Member concerned. A ship shall be deemed to have been constructed on the date when its keel is laid or when it is at a similar stage of construction.

3. Unless expressly provided otherwise, any requirement under an amendment to the Code relating to the provision of seafarer accommodation and recreational facilities shall apply only to ships constructed on or after the amendment takes effect for the Member concerned.
Title 3: Accommodation, Recreational Facilities, Food and Catering

Std. 3.1.1 Accommodation and recreational facilities

Mandatory

Each Member shall adopt laws and regulations requiring that ships that fly its flag:

(a) meet minimum standards to ensure that any accommodation for seafarers, working or living on board, or both, is safe, decent and in accordance with the relevant provisions of this Standard; and

(b) are inspected to ensure initial and on-going compliance with those standards.

Methods to Achieve Compliance

The shipowner should assign responsibility to personnel to monitor regulations promulgated by the flag State so that ships remain in compliance with relevant regulations.

Sample Procedures

The shipowner should have documented procedures for the monitoring and maintenance of access to and integration of current flag State and other applicable regulations into the MS; maintenance inspections of accommodations; and care and use of recreational facilities.

Sample Records

- Shipyard specifications
- Maritime Labour Certificate, DMLC: originals on the ship, copies in the office
- Copies of rules and regulations from Class related to the types of ships that are owned/managed
- ABS Crew Habitation on Ships (or on Workboats), part of the ship and shipowner’s library
- Maintenance records
- Inspection records
Title 3: Accommodation, Recreational Facilities, Food and Catering

Std. 3.1.2 Accommodation and recreational facilities

Mandatory

In developing and applying the laws and regulations to implement this Standard, the competent authority, after consulting the shipowners’ and seafarers’ organizations concerned, shall:

(a) take into account Regulation 4.3 and the associated Code provisions on health and safety protection and accident prevention, in light of the specific needs of seafarers that both live and work on board ship, and

(b) give due consideration to the guidance contained in Part B of this Code.

Methods to Achieve Compliance

The shipowner should closely evaluate the guidance in Part B of the Code and determine the practicability and feasibility of compliance.

Sample Procedures

The shipowner should have documented procedures for the monitoring and maintenance of access to and integration of current flag State and other applicable regulations into the MS; maintenance inspections of accommodations; and care and use of recreational facilities.

Sample Records

- Shipyard specifications
- Feasibility studies against Part B
- Maintenance and construction records associated with guidance in Part B
**TITLE 3: Accommodation, Recreational Facilities, Food and Catering**

**STD. 3.1.3 Accommodation and recreational facilities**

**Mandatory**

*The inspections required under Regulation 5.1.4 shall be carried out when:*

(a) a ship is registered or re-registered; or

(b) the seafarer accommodation on a ship has been substantially altered.

**Methods to Achieve Compliance**

The shipowner should define responsibility for tracking and carrying out appropriate maintenance inspections of the ship.

**Sample Procedures**

The company should have documented procedures regarding maintenance inspections on the ship, particularly within the accommodations, and for ILO ship inspections.

**Sample Records**

- Inspection records
- Maintenance records
TITLE 3: Accommodation, Recreational Facilities, Food and Catering
STD. 3.1.4 Accommodation and recreational facilities

Mandatory

The competent authority shall pay particular attention to ensuring implementation of the requirements of this Convention relating to:

(a) the size of rooms and other accommodation spaces;

(b) heating and ventilation;

(c) noise and vibration and other ambient factors;

(d) sanitary facilities;

(e) lighting; and

(f) hospital accommodation.

Methods to Achieve Compliance

The shipowner should assign responsibility to personnel to monitor regulations promulgated by the flag State so that ships remain in compliance with accommodation space dimensions, including hospitals.

The shipowner should review and verify compliance with noise level limits prescribed by ILO, IMO, and any other flag State regulations. Copies of these requirements should be carried on board. One publication the shipowner should carry on the ships and maintain in the office is the ILO code of practice, Ambient Factors in the Workplace.

The shipowner should monitor flag State regulations for approved ventilation and heating systems and standards, as well as for natural and artificial lighting standards.

The shipowner should review relevant flag State regulations to verify that only approved materials are used in new construction and in accommodations spaces upgrades and for sanitation facilities.

Sample Procedures

The company should have a documented procedure regarding monitoring and maintenance of access to and integration of current flag State and other applicable regulations.

The company should have documented procedures regarding conducting noise and vibration surveys and for personnel familiarization particularly in regard to noise and vibration. Consideration should be given to conducting surveys of other ambient factors such as lighting, heating, and ventilation.

Continued on next page
TITLE 3: Accommodation, Recreational Facilities, Food and Catering
STD. 3.1.4 Accommodation and recreational facilities, Continued

Sample Records

- Reviews of flag State regulations
- Noise and vibration survey reports
- Familiarization training records
- Copies of relevant flag State and international regulations on noise and vibration
- Ship drawings
- Maintenance and repair records
- Ambient factors surveys
Mandatory

The competent authority of each Member shall require that ships that fly its flag meet the minimum standards for on-board accommodation and recreational facilities that are set out in paragraphs 6 to 17 of this Standard.

Methods to Achieve Compliance

Note that paragraphs 6 through 17 of Part A establish the requirements by which the ship shall meet the requirements for accommodations in accordance with the Maritime Labour Convention of 2006. The shipowner should refer to the relevant Class Society for guidance and oversight during construction of new ships.

Use of the ABS Guide for Crew Habitability on Ships or the ABS Guide for Crew Habitability on Workboats, as applicable, can assist the shipowner to comply with paragraphs 6 through 17 of Part A.

Sample Procedures

The shipowner should have documented procedures for the monitoring and maintenance of access to and integration of current flag State and other applicable regulations into the MS; inspections of accommodations; and care and use of recreational facilities.

Sample Records

• Class Society publications
• Construction records
• Reviews of flag State regulations
• Maintenance inspections
With respect to general requirements for accommodation:

(a) there shall be adequate headroom in all seafarer accommodation; the minimum permitted headroom in all seafarer accommodation where full and free movement is necessary shall be not less than 203 centimetres; the competent authority may permit some limited reduction in headroom in any space, or part of any space, in such accommodation where it is satisfied that such reduction: (i) is reasonable; and (ii) will not result in discomfort to the seafarers;

(b) the accommodation shall be adequately insulated;

(c) in ships other than passenger ships, as defined in Regulation 2(e) and (f) of the International Convention for the Safety of Life at Sea, 1974, as amended (the “SOLAS Convention”), sleeping rooms shall be situated above the load line amidships or aft, except that in exceptional cases, where the size, type or intended service of the ship renders any other location impracticable, sleeping rooms may be located in the fore part of the ship, but in no case forward of the collision bulkhead;

(d) in passenger ships, and in special ships constructed in compliance with the IMO Code of Safety for Special Purpose Ships, 1983, and subsequent versions (hereinafter called “special purpose ships”), the competent authority may, on condition that satisfactory arrangements are made for lighting and ventilation, permit the location of sleeping rooms below the load line, but in no case shall they be located immediately beneath working alleyways;

(e) there shall be no direct openings into sleeping rooms from cargo and machinery spaces or from galleys, storerooms, drying rooms or communal sanitary areas; that part of a bulkhead separating such places from sleeping rooms and external bulkheads shall be efficiently constructed of steel or other approved substance and be watertight and gas-tight;

(f) the materials used to construct internal bulkheads, panelling and sheeting, floors and joinings shall be suitable for the purpose and conducive to ensuring a healthy environment;

(g) proper lighting and sufficient drainage shall be provided; and

(h) accommodation and recreational and catering facilities shall meet the requirements in Regulation 4.3, and the related provisions in the Code, on health and safety protection and accident prevention, with respect to preventing the risk of exposure to hazardous levels of noise and vibration and other ambient factors and chemicals on board ships, and to provide an acceptable occupational and on-board living environment for seafarers.
**Methods to Achieve Compliance**

**Construction**

The shipowner should verify that approved materials are used for the decks in the accommodations. The deck should be non-slip, easy to clean, and resistant to dampness. Space dimensions and location of sleeping rooms should comply with flag State regulations.

**Prevention of Noise and Vibration**

The shipowner should locate accommodations and recreational facilities as far as practicable from noisy machinery and other spaces. Acoustic insulation should be installed to further enhance protection from noise. Excessive vibration should be avoided. Excessive vibration is explained in the Definitions section of these Guidance Notes. The shipowner should require that noise and vibration and other ambient factor surveys be conducted on the ships. High noise areas should be identified and appropriately signed on the ship. Personnel should receive appropriate familiarization with these locations when joining the ship.

Soundproof centralized control rooms should be provided in machinery spaces. Workshops should be insulated from general engine room noise and measures should be established to reduce vibration during machinery operation.

**Hazardous Materials**

The shipowner should develop and maintain a hazardous material communications program for chemicals used on ships so that the hazards of all chemicals on board are evaluated, and that information transmitted to the crew. The hazard communication program should include container labeling and other forms of warning, material safety data sheets and employee training.

**Sample Procedures**

The shipowner should conduct noise and vibration and other ambient factor surveys.

The shipowner should develop and maintain a program of hazard communications. The hazard communication program should include hazardous materials used on board, as well as other safety and health hazards, such as noise and vibration.

**Sample Records**

- Noise and vibration survey reports
- Familiarization training records
- Copies of relevant flag State and international regulations on noise and vibration
- Ship drawings
- Maintenance and repair records
- Material Safety Data Sheets (MSDSs) (United States)
- Control of Substances Hazardous to Health (United Kingdom)
- Training records in hazards communications
- Chemical inventories
- Ambient factor surveys
Title 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.1.7 Accommodation and recreational facilities

Mandatory

With respect to requirements for ventilation and heating:

(a) sleeping rooms and mess rooms shall be adequately ventilated;

(b) ships, except those regularly engaged in trade where temperate climatic conditions do not require this, shall be equipped with air conditioning for seafarer accommodation, for any separate radio room and for any centralized machinery control room;

(c) all sanitary spaces shall have ventilation to the open air, independently of any other part of the accommodation; and

(d) adequate heat through an appropriate heating system shall be provided, except in ships exclusively on voyages in tropical climates.

Methods to Achieve Compliance

Ventilation

The shipowner should provide for satisfactory air quality and sufficient air movement in all weather conditions and climate.

The air conditioning systems should maintain the air at satisfactory temperature and humidity in all spaces and be easily cleaned and disinfected.

Power to ventilation should be available at all times; however, the power need not come from emergency sources.

Heating

Heating should be in operation at all times when environmental conditions warrant such use. Steam should not be used as a heating mechanism in accommodations.

Radiators should be located and shielded as necessary to prevent fire or danger or discomfort to occupants.

Sample Procedures

The company should have a documented procedure regarding the monitoring and maintenance of access to and integration of current flag State and other applicable regulations, particularly ventilation and heating regulations.

Sample Records

- Load Line Certificate
- Certificate of Registry (United States)
- Records of flag State regulations reviews
- Maintenance records
- Inspection records
Title 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.1.8 Accommodation and recreational facilities

Mandatory

With respect to requirements for lighting, subject to such special arrangements as may be permitted in passenger ships, sleeping rooms and mess rooms shall be lit by natural light and provided with adequate artificial light.

Methods to Achieve Compliance

Lighting

The shipowner should provide electric lighting in the accommodations. An electric reading lamp should be provided at the head of each berth.

Sample Procedures

The company should have a documented procedure regarding monitoring and maintenance of access to and integration of current flag State and other applicable regulations, particularly lighting standards.

Sample Records

- Records of flag State regulations reviews
- Maintenance records
- Inspection records
Title 3: Accommodation, Recreational Facilities, Food and Catering

Accommodation and recreational facilities

Mandatory

When sleeping accommodation on board ships is required, the following requirements for sleeping rooms apply:

(a) in ships other than passenger ships, an individual sleeping room shall be provided for each seafarer; in the case of ships of less than 3,000 gross tonnage or special purpose ships, exemptions from this requirement may be granted by the competent authority after consultation with the shipowners’ and seafarers’ organizations concerned;

(b) separate sleeping rooms shall be provided for men and for women;

(c) sleeping rooms shall be of adequate size and properly equipped so as to ensure reasonable comfort and to facilitate tidiness;

(d) a separate berth for each seafarer shall in all circumstances be provided;

(e) the minimum inside dimensions of a berth shall be at least 198 centimetres by 80 centimetres;

(f) in single berth seafarers’ sleeping rooms the floor area shall not be less than:
   (i) 4.5 square metres in ships of less than 3,000 gross tonnage;
   (ii) 5.5 square metres in ships of 3,000 gross tonnage or over but less than 10,000 gross tonnage;
   (iii) 7 square metres in ships of 10,000 gross tonnage or over;

(g) however, in order to provide single berth sleeping rooms on ships of less than 3,000 gross tonnage, passenger ships and special purpose ships, the competent authority may allow a reduced floor area;

(h) in ships of less than 3,000 gross tonnage other than passenger ships and special purpose ships, sleeping rooms may be occupied by a maximum of two seafarers; the floor area of such sleeping rooms shall not be less than 7 square metres;

(i) on passenger ships and special purpose ships the floor area of sleeping rooms for seafarers not performing the duties of ships’ officers shall not be less than:
   (i) 7.5 square metres in rooms accommodating two persons;
   (ii) 11.5 square metres in rooms accommodating three persons;
   (iii) 14.5 square metres in rooms accommodating four persons;

(j) on special purpose ships, sleeping rooms may accommodate more than four persons; the floor area of such sleeping rooms shall not be less than 3.6 square metres per person;

Continued on next page
Mandatory (continued)

(k) on ships other than passenger ships and special purpose ships, sleeping rooms for seafarers who perform the duties of ships’ officers, where no private sitting room or day room is provided, the floor area per person shall not be less than:

(i) 7.5 square metres in ships of less than 3,000 gross tonnage;
(ii) 8.5 square metres in ships of 3,000 gross tonnage or over but less than 10,000 gross tonnage;
(iii) 10 square metres in ships of 10,000 gross tonnage or over;

(l) on passenger ships and special purpose ships, the floor area for seafarers performing the duties of ships’ officers where no private sitting room or day room is provided, the floor area per person for junior officers shall not be less than 7.5 square metres and for senior officers not less than 8.5 square metres; junior officers are understood to be at the operational level, and senior officers at the management level;

(m) the master, the chief engineer and the chief navigating officer shall have, in addition to their sleeping rooms, an adjoining sitting room, day room or equivalent additional space; ships of less than 3,000 gross tonnage may be exempted by the competent authority from this requirement after consultation with the shipowners’ and seafarers’ organizations concerned;

(n) for each occupant, the furniture shall include a clothes locker of ample space (minimum 475 litres) and a drawer or equivalent space of not less than 56 litres; if the drawer is incorporated in the clothes locker then the combined minimum volume of the clothes locker shall be 500 litres; it shall be fitted with a shelf and be able to be locked by the occupant so as to ensure privacy;

(o) each sleeping room shall be provided with a table or desk, which may be of the fixed, drop-leaf or slide-out type, and with comfortable seating accommodation as necessary.

Methods to Achieve Compliance

Design and Construction

The shipowner should require that external bulkheads of sleeping and mess rooms are adequately insulated from heat and cold sources both external and internal to the ship. The shipowner should provide a means to protect seafarers from hot service lines running through these spaces.

Within the accommodations, insulation should be such as to prevent condensation and over-heating. Bulkheads and decks should be of a material that is easily cleaned. Finish should be nontoxic. Design should be such that vermin cannot be harbored.

Sleeping Rooms

The shipowner should not permit hot bunking. Hot bunking involves using the same berth for two seafarers on different watches.

Continued on next page
Methods to Achieve Compliance (continued)

Wherever possible, sleeping rooms should be planned and equipped with a private bathroom including toilet. Consideration should be given to prevent watchstanders from berthing with day workers. There should generally be no more than two persons per sleeping rooms. The shipowner should verify that sleeping berths are effectively placed to provide maximum space for each occupant. Dust-proof bottoms should be fitted on the underside of upper berths.

Considerations should be given to providing an adjoining day room to the second engineer’s quarters when practicable.

Berths should be constructed in a manner to prevent harboring of vermin and mattresses should not be made of materials conducive to harboring vermin. Tubular framing should be completely sealed. Mattresses should be made of approved materials.

Room furniture should be durable and unlikely to warp or corrode. Curtains or equivalent should be provided. A mirror, small cabinets for toiletries, book rack, and coat hooks should be provided.

The shipowner should establish a means for seafarers to bring issues forward regarding deficiencies in sleeping quarters.

Sample Procedures

The company should have documented procedures regarding the monitoring and maintenance of access to and integration of current flag State and other applicable regulations, particularly regarding sleeping rooms and for registering complaints.

Sample Records

- Records of flag State regulations reviews
- Records of complaints
- Records of complaint resolution
- Maintenance records
- Inspection records
TITLE 3: Accommodation, Recreational Facilities, Food and Catering
STD. 3.1.10 Accommodation and recreational facilities

Mandatory

With respect to requirements for mess rooms:

(a) mess rooms shall be located apart from the sleeping rooms and as close as practicable to the galley; ships of less than 3,000 gross tonnage may be exempted by the competent authority from this requirement after consultation with the shipowners' and seafarers' organizations concerned; and

(b) mess rooms shall be of adequate size and comfort and properly furnished and equipped (including ongoing facilities for refreshment), taking account of the number of seafarers likely to use them at any one time; provision shall be made for separate or common mess room facilities as appropriate.

Methods to Achieve Compliance

Mess Rooms

The shipowner should decide whether to have separate or common mess room facilities in consultation with the seafarers and with the approval of the competent authority in the flag State. Cultural, religious, and social needs should be considered.

If mess rooms are separated, the shipowner should provide one mess room to accommodate the master and officers and the other mess room for the remaining seafarers.

The shipowner should provide a seating layout that is maximized in accordance with the largest number of seafarers that are expected to use the mess room at one time; however, there should be no less than 1.5 square meters of floor area for each occupant.

The shipowner should provide a refrigerator and facilities for hot beverages and cool water.

Pantries or locker should be provided for mess utensils along with facilities for washing utensils. Table and seat tops should be of damp-resistant material.

Inspections should be conducted on defined frequencies.

Bedding, Mess Utensils, and Miscellaneous Provisions

The shipowner should provide clean bedding and mess utensils to the seafarers who should return them at the end of their service on board. Bedding and mess utensils should be of approved materials which are easily cleaned. The shipowner should provide towels, soap, and toilet paper for all seafarers.

Sample Procedures

The company should have a documented procedure regarding monitoring and maintenance of access to and integration of current flag State and other applicable regulations, particularly regarding mess rooms.

Continued on next page
Title 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.1.10 Accommodation and recreational facilities, Continued

Sample Records
- Records of flag State regulations reviews
- Maintenance records
- Inspection records
TITLE 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.1.11 Accommodation and recreational facilities

Mandatory

With respect to requirements for sanitary facilities:

(a) all seafarers shall have convenient access on the ship to sanitary facilities meeting minimum standards of health and hygiene and reasonable standards of comfort, with separate sanitary facilities being provided for men and for women;

(b) there shall be sanitary facilities within easy access of the navigating bridge and the machinery space or near the engine room control centre; ships of less than 3,000 gross tonnage may be exempted by the competent authority from this requirement after consultation with the shipowners' and seafarers' organizations concerned;

(c) in all ships a minimum of one toilet, one wash basin and one tub or shower or both for every six persons or less who do not have personal facilities shall be provided at a convenient location;

(d) with the exception of passenger ships, each sleeping room shall be provided with a washbasin having hot and cold running fresh water, except where such a washbasin is situated in the private bathroom provided;

(e) in passenger ships normally engaged on voyages of not more than four hours’ duration, consideration may be given by the competent authority to special arrangements or to a reduction in the number of facilities required; and

(f) hot and cold running fresh water shall be available in all wash places.

Methods to Achieve Compliance

Washbasins and tubs should be durable. The shipowner should require that they are made of approved materials. Toilets should be of an approved design with flushing mechanisms available at all times and independently controlled.

Whenever sanitary accommodations are intended for use by more than one person, floors should be of an approved durable material, impervious to damp and properly drained. Bulkheads should be of an approved material and watertight to a prescribed level above the deck, preferably not less than 23 centimeters. The space should be lit, heated, and ventilated.

Privacy screening should be provided in compartments with more than one toilet. Toilet spaces should be located conveniently to sleeping rooms and wash rooms, but not so that there is direct access from any sleeping room. An exception to this rule applies when a common toilet is located between two sleeping rooms accommodating not more than four seafarers.

Sanitary facilities should be inspected and maintained on defined frequencies.

Where fitted, separate changing rooms for engine department personnel should be located outside the machinery spaces with easy access. Individual clothes lockers with tubs or showers or both and washbasins with hot and cold running fresh water should be provided.

Continued on next page
Title 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.1.11 Accommodation and recreational facilities, Continued

Sample Procedures

The company should have a documented procedure regarding the monitoring and maintenance of access to and integration of current flag State and other applicable regulations, particularly regarding sanitary accommodations.

Sample Records

- Records of flag State regulations reviews
- Shipyard accommodations construction and upgrade records
- Maintenance records
- Inspection records
TITLE 3: Accommodation, Recreational Facilities, Food and Catering
STD. 3.1.12 Accommodation and recreational facilities

Mandatory

With respect to requirements for hospital accommodation, ships carrying 15 or more seafarers and engaged in a voyage of more than three days’ duration shall provide separate hospital accommodation to be used exclusively for medical purposes; the competent authority may relax this requirement for ships engaged in coastal trade; in approving on-board hospital accommodation, the competent authority shall ensure that the accommodation will, in all weathers, be easy of access, provide comfortable housing for the occupants and be conducive to their receiving prompt and proper attention.

Methods to Achieve Compliance

The shipowner should verify that the hospital is of sufficient size to provide consultation to seafarers, to provide medical first aid, and to prevent the spread of infectious diseases.

Consideration should be given to the layout of the hospital with lighting, ventilation, heating and water supply for comfort and treatment of the occupants.

The shipowner should verify that the number of hospital berths meets flag State requirements. Sanitary accommodations should be for the exclusive use of the occupants and comprise at least one toilet, one washbasin, and one tub or shower.

Sample Procedures

The company should have a documented procedure regarding the monitoring and maintenance of access to and integration of current flag State and other applicable regulations, particularly regarding hospital accommodations.

Sample Records

- Records of flag State regulations reviews
- Maintenance records
- Inspection records
<table>
<thead>
<tr>
<th><strong>TITLE 3:</strong></th>
<th><strong>Accommodation, Recreational Facilities, Food and Catering</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STD. 3.1.13</strong></td>
<td><strong>Accommodation and recreational facilities</strong></td>
</tr>
<tr>
<td><strong>Mandatory</strong></td>
<td><em>Appropriately situated and furnished laundry facilities shall be available</em></td>
</tr>
<tr>
<td><strong>Methods to Achieve Compliance</strong></td>
<td>The shipowner should provide washing and drying machines. Adequately heated and ventilated drying rooms may be substituted for drying machines. Irons and ironing boards, or equivalents, should be provided.</td>
</tr>
<tr>
<td><strong>Sample Procedures</strong></td>
<td>The shipowner should have a documented procedure regarding maintenance of ship’s services to seafarers.</td>
</tr>
<tr>
<td><strong>Sample Records</strong></td>
<td>• Maintenance and inspections records of laundry facilities</td>
</tr>
</tbody>
</table>
### TITLE 3: Accommodation, Recreational Facilities, Food and Catering

#### STD.3.1.14 Accommodation and recreational facilities

**Mandatory**

*All ships shall have a space or spaces on open deck to which the seafarers can have access when off duty, which are of adequate area having regard to the size of the ship and the number of seafarers on board.*

**Methods to Achieve Compliance**

The shipowner should provide open deck spaces for recreational purposes that meet this requirement. The shipowner should refer to guidance from the flag State or applicable classification society.

**Sample Procedures**

The shipowner should have documented procedures regarding care and use of recreational facilities; inspections of accommodations; and internal auditing of the MS.

**Sample Records**

- Ship drawings
- Maintenance records
- Internal audit records
TITLE 3: Accommodation, Recreational Facilities, Food and Catering

STD.3.1.15 Accommodation and recreational facilities

Mandatory

*All ships shall be provided with separate offices or a common ship’s office for use by deck and engine departments; ships of less than 3,000 gross tonnage may be exempted by the competent authority from this requirement after consultation with the shipowners’ and seafarers’ organizations concerned.*

Methods to Achieve Compliance

The shipowner should provide one or more offices that can be used by the deck and engineering departments. These offices should be equipped with equipment (e.g., computers, printers, etc.) suitable for conducting administrative work and that are insulated from noisy machinery and excessive vibration. The shipowner should ensure that any exemptions granted by the competent authority from this requirement by virtue of ship gross tonnage is documented and maintained.

Sample Procedures

The shipowner should have a documented procedure regarding inspections of accommodations, including offices and other spaces.

Sample Records

- Maintenance and inspection records
- Ship’s drawings
- Exemptions records granted by the competent authority, as applicable
### Title 3: Accommodation, Recreational Facilities, Food and Catering

#### STD.3.1.16 Accommodation and recreational facilities

**Mandatory**

*Ships regularly trading to mosquito-infested ports shall be fitted with appropriate devices as required by the competent authority.*

**Methods to Achieve Compliance**

The shipowner should review regulations of the flag State regarding installing appropriate devices for ships that will be regularly trading in mosquito-infested ports. These devices should be regularly inspected and maintained.

**Sample Procedures**

The company should have a documented procedure regarding the monitoring and maintenance of access to and integration of current flag State and other applicable regulations, particularly regarding approved devices for mosquito protection.

**Sample Records**

- Records of flag State regulations reviews
- Maintenance records
- Inspection records
<p>**Title 3: Accommodation, Recreational Facilities, Food and Catering**

**STD.3.1.17 Accommodation and recreational facilities**</p>

**Mandatory**

Appropriate seafarers’ recreational facilities, amenities and services, as adapted to meet the special needs of seafarers who must live and work on ships, shall be provided on board for the benefit of all seafarers, taking into account Regulation 4.3 and the associated Code provisions on health and safety protection and accident prevention.

**Methods to Achieve Compliance**

The shipowner should provide recreational facilities, amenities, and services that meet this requirement. The shipowner should refer to guidance from the flag State or applicable classification society. These types of facilities and services are described in relation to Part A, paragraph 18. The shipowner should provide guidance on seafarer use of recreational facilities.

The shipowner should define responsibility for integrating changes in seafarer needs resulting from technical, operational, and other developments in the shipping industry on board ships as practicable.

The shipowner should provide recreational facilities with a bookcase and means for reading, writing, and games, where practicable, at a minimum.

The shipowner should monitor flag State regulations regarding whether or not ships should be fitted with a canteen.

The shipowner should consider including the following facilities and services onboard the ship, without assessing any cost for these facilities and services to the seafarer:

- one or more smoking rooms,
- television viewing,
- radio broadcast reception,
- a rotating supply of films,
- sports equipment (including exercise equipment, table games, and deck games),
- swimming facilities,
- rotating vocational library, and
- a place for recreational handicrafts.

Other items include electronic equipment such as a radio, television, video records, DVD/CD player, personal computer and software, and cassette recorder/player.

Unless prohibited by law (flag State), religion, or social customs, the shipowner should consider providing bars on board.

The shipowner should provide the seafarer with reasonable access to ship-to-shore telephone communications, e-mail and Internet facilities where available. Any charges associated with use of these services should be reasonable.

*Continued on next page*
Methods to Achieve Compliance (continued)

The shipowner should consider the forwarding of seafarer’s mail as a priority. Seafarers should be afforded the opportunity to avoid paying excessive postage through circumstances beyond their control. One method may be to use inter-company pouch mail to send packages of stamped mail to the seafarer’s country of origin. Mail can then be placed in the national mail service from there at the current postage rates.

If possible and reasonable, the shipowner should expeditiously grant permission for the seafarer to have their partners, relatives, and friends as visitors on board the ship when in port. The ship’s security plan should provide guidance on how these guests can meet security clearance requirements.

The shipowner should consider allowing seafarer partners on occasional voyages where practicable and reasonable. However, the partners should carry adequate insurance coverage for accident and illness. The shipowner should facilitate the seafarer’s access to such insurance.

Sample Procedures

The company should have documented procedures regarding care and use of recreational facilities and for seafarer benefits.

Sample Records

- Ship drawings
- Maintenance inspections
- Inspection records
- Reviews of flag State regulations
- Payroll records (phone, e-mail, etc., charges)
- Mail receipt records
- Insurance records of seafarers’ partners making voyages together
- Crew lists
### TITLE 3: Accommodation, Recreational Facilities, Food and Catering

#### STD. 3.1.18 Accommodation and recreational facilities

**Mandatory**

The competent authority shall require frequent inspections to be carried out on board ships, by or under the authority of the master, to ensure that seafarer accommodation is clean, decently habitable and maintained in a good state of repair. The results of each such inspection shall be recorded and be available for review.

**Methods to Achieve Compliance**

The shipowner should require that inspections of recreational facilities are conducted on a frequent and defined basis. The master is responsible for verifying that these inspections are carried out.

**Sample Procedures**

The company should have documented procedures regarding maintenance inspections on the ship, particularly within the recreational facilities, and for ILO ship inspections.

**Sample Records**

- Inspection records
- Maintenance records
**TITLE 3: Accommodation, Recreational Facilities, Food and Catering**

### STD. 3.1.19 Accommodation and recreational facilities

**Mandatory**

In the case of ships where there is need to take account, without discrimination, of the interests of seafarers having differing and distinctive religious and social practices, the competent authority may, after consultation with the shipowners’ and seafarers’ organizations concerned, permit fairly applied variations in respect of this Standard on condition that such variations do not result in overall facilities less favourable than those which would result from the application of this Standard.

**Methods to Achieve Compliance**

The shipowner may request variations on the recreational facility requirements from the flag State. However, these variations should not result in facilities at a less favorable standard than specified in this Standard.

**Sample Procedures**

The company should have a documented procedure regarding monitoring and maintenance of access to and integration of current flag State and other applicable regulations.

**Sample Records**

- Records of flag State regulations reviews
**TITLE 3: Accommodation, Recreational Facilities, Food and Catering**

**STD. 3.1.20 Accommodation and recreational facilities**

**Mandatory**

*Each Member may, after consultation with the shipowners’ and seafarers’ organizations concerned, exempt ships of less than 200 gross tonnage where it is reasonable to do so, taking account of the size of the ship and the number of persons on board in relation to the requirements of the following provisions of this Standard:*

(a) paragraphs 7(b), 11(d) and 13; and

(b) paragraph 9(f) and (h) to (l) inclusive, with respect to floor area only.

**Methods to Achieve Compliance**

If the flag State approves, ships of less than 200 gross tons may not have to comply with the requirements for air conditioning for sleeping rooms, separate radio room, or centralized machinery spaces if regularly trading in temperate climates. With the exception of passenger vessels of this tonnage, each sleeping room may not have to be fitted with a washbasin with hot and cold running fresh water except if a private bathroom is provided. Laundry services may not be necessary.

The prescribed floor area may be modified for sleeping rooms. The shipowner should seek approval from the flag State for any exemptions to these regulations listed in Part A.

**Sample Procedures**

The company should have a documented procedure regarding the monitoring and maintenance of access to and integration of current flag State and other applicable regulations, for exemptions to ships of this tonnage.

**Sample Records**

- Records of flag State regulations reviews
- Exemption certificates
Title 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.1.21 Accommodation and recreational facilities

Mandatory

Any exemptions with respect to the requirements of this Standard may be made only where they are expressly permitted in this Standard and only for particular circumstances in which such exemptions can be clearly justified on strong grounds and subject to protecting the seafarers’ health and safety.

Methods to Achieve Compliance

The shipowner should verify that all exemptions to this Standard have been approved by the flag State.

Sample Procedures

The shipowner should have a documented procedure for monitoring and maintaining access to and integration of current flag State and other applicable regulations.

Sample Records

- Exemption certificates
**Title 3: Accommodation, Recreational Facilities, Food and Catering**

**Reg. 3.2 Food and catering**

**Purpose**
To ensure that seafarers have access to good quality food and drinking water provided under regulated hygienic conditions.

**Key Issues**

1. Each Member shall ensure that ships that fly its flag carry on board and serve food and drinking water of appropriate quality, nutritional value and quantity that adequately covers the requirements of the ship and takes into account the differing cultural and religious backgrounds.

2. Seafarers on board a ship shall be provided with food free of charge during the period of engagement.

3. Seafarers employed as ships’ cooks with responsibility for food preparation must be trained and qualified for their position on board ship.
TITLE 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.2.1 Food and catering

Mandatory

Each Member shall adopt laws and regulations or other measures to provide minimum standards for the quantity and quality of food and drinking water and for the catering standards that apply to meals provided to seafarers on ships that fly its flag, and shall undertake educational activities to promote awareness and implementation of the standards referred to in this paragraph.

Methods to Achieve Compliance

The shipowner should define the responsibility of personnel to access flag State information and requirements regarding nutrition including methods of purchasing, storing, preserving, cooking, and serving food, particularly with regards to catering on board a ship.

As part of the education activities to promote awareness and implementation of this Standard, industry and trade publications should also be reviewed on a periodic basis in order to stay abreast of technological advances regarding health and safety on the catering department.

Sample Procedures

The company should have documented procedures regarding the monitoring and maintenance of access to and integration of current flag State, other applicable regulations, and industry information, particularly in regard to food and catering.

Sample Records

- Copies of trade journals
- Payment receipts for purchases
- Reviews of flag State and industry publication reviews
- Drinking water quality tests and inspections
- Menus
- Payroll records to determine food costs are not being charged to the seafarer
### Title 3: Accommodation, Recreational Facilities, Food and Catering

#### Section 3.2.2 Food and Catering

**Food and catering**

**Mandatory**

*Each Member shall ensure that ships that fly its flag meet the following minimum standards:*

(a) *food and drinking water supplies, having regard to the number of seafarers on board, their religious requirements and cultural practices as they pertain to food, and the duration and nature of the voyage, shall be suitable in respect of quantity, nutritional value, quality and variety;*

(b) *the organization and equipment of the catering department shall be such as to permit the provision to the seafarers of adequate, varied and nutritious meals prepared and served in hygienic conditions; and*

(c) *catering staff shall be properly trained or instructed for their positions.*

**Methods to Achieve Compliance**

The shipowner should define the responsibility of personnel to access flag State information and requirements regarding recommendations to avoid food wastage, proper standards of hygiene, and maximum practicable convenience in working arrangements.

The shipowner should define the responsibility and the guidelines to consider when calculating the ship’s requirements for food and drinking water inventories for each voyage or length of time, as appropriate.

The shipowner should identify the frequency and criteria for galley accommodations cleaning and inspections; and that there are maintenance and inspections of galley equipment, drinking water tanks, storage spaces, and other related spaces on the ship.

The shipowner should define the training and competency requirements for the catering staff.

Audits should be periodically conducted for compliance.

**Sample Procedures**

The company should have a documented procedure regarding food and drinking water requirements; accommodations inspections; and competency requirements for seafarers and for conducting internal audits, particularly pertaining to training.

**Sample Records**

- Inventory records of food and drinking water
- Hygiene inspection records
- Maintenance records
- Audit report records
- Training records
**TITLE 3: Accommodation, Recreational Facilities, Food and Catering**

**STD. 3.2.3 Food and catering**

**Mandatory**

*Shipowners shall ensure that seafarers who are engaged as ships’ cooks are trained, qualified and found competent for the position in accordance with requirements set out in the laws and regulations of the Member concerned.*

**Methods to Achieve Compliance**

The shipowner should define the training and competency requirements for the catering staff. Audits should be periodically conducted for compliance.

**Sample Procedures**

The company should have documented procedures regarding competency requirements for seafarers and for conducting internal audits, particularly pertaining to training.

**Sample Records**

- Training records
- Audit reports
### TITLE 1: Accommodation, Recreational Facilities, Food and Catering
#### Std. 3.2.4 Food and catering

**Mandatory**

The requirements under paragraph 3 of this Standard shall include a completion of a training course approved or recognized by the competent authority, which covers practical cookery, food and personal hygiene, food storage, stock control, and environmental protection and catering health and safety.

**Methods to Achieve Compliance**

The shipowner should define the responsibility and process by which research is conducted on approved training courses for the catering staff. Access to the competent authority approved training facility database should be reviewed periodically. The shipowner may wish to audit the training facility independently. In-house training courses that are approved by the competent authority should be periodically audited in accordance with documented procedures.

The shipowner should consider providing guidance on environmental protection methods for handling waste.

**Sample Procedures**

The company should have documented procedures regarding monitoring and maintenance of access to and integration of current flag State and other applicable regulations and for internal auditing of the management system.

**Sample Records**

- Training records
- Reviews of competent authority approved training facilities
- Waste management logs
TITLE 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.2.5 Food and catering

Mandatory

On ships operating with a prescribed manning of less than ten which, by virtue of the size of the crew or the trading pattern, may not be required by the competent authority to carry a fully qualified cook, anyone processing food in the galley shall be trained or instructed in areas including food and personal hygiene as well as handling and storage of food on board ship.

Methods to Achieve Compliance

The shipowner should establish a training program in-house with accredited (approved) third-parties, as appropriate, for ships’ cooks. The shipowner should identify flag State regulations regarding the minimum period of sea service required and ensure that any training courses that cooks are sent to for certification purposes have been approved by the flag State.

The shipowner should obtain information from the relevant flag State of any reciprocity agreements regarding the above ILO Convention to ensure that cooks from other Member countries have acceptable certification. This issue deals with reciprocity for recognition of qualifications of other Member’s training facilities for ship’s cooks.

Sample Procedures

The company should have a documented procedure regarding competency requirements for seafarers, particularly those seafarers assigned as cooks on board.

Sample Records

- Training records
- Information from the flag State regarding approved certificates of cooks
TITLE 3: Accommodation, Recreational Facilities, Food and Catering

STD. 3.2.6 Food and catering

Mandatory

In circumstances of exceptional necessity, the competent authority may issue a dispensation permitting a non-fully qualified cook to serve in a specified ship for a specified limited period, until the next convenient port of call or for a period not exceeding one month, provided that the person to whom the dispensation is issued is trained or instructed in areas including food and personal hygiene as well as handling and storage of food on board ship.

Methods to Achieve Compliance

The shipowner should identify training of the catering staff at lower levels to account for assisting non-fully qualified cooks who have received dispensation from the competent authority in the flag State. The shipowner should verify that any training course that cooks are sent to for certification purposes have been approved by the flag State.

Sample Procedures

The company should have a documented procedure regarding competency requirements for seafarers.

Sample Records

- Training certificates for the ship’s cook
- Dispensation correspondence
- Training records
- Training plan/matrix
Mandatory

In accordance with the ongoing compliance procedures under Title 5, the competent authority shall require that frequent documented inspections be carried out on board ships, by or under the authority of the master, with respect to:

(a) supplies of food and drinking water;

(b) all spaces and equipment used for the storage and handling of food and drinking water; and

(c) galley and other equipment for the preparation and service of meals.

Methods to Achieve Compliance

The shipowner should identify the scope and frequency of inspections of food and drinking water spaces and equipment. These inspections could be incorporated into the ship’s regular maintenance program. Deficiencies should be incorporated into a corrective action system.

Sample Procedures

The company should have documented procedures regarding food and drinking water spaces and equipment inspection and for corrective action and follow-up.

Sample Records

- Inspection records
- Logbook entries
- Corrective action and follow-up activities on identified deficiencies
### Title 3: Accommodation, Recreational Facilities, Food and Catering

#### Std. 3.2.8 Food and catering

**Mandatory**

*No seafarer under the age of 18 shall be employed or engaged or work as a ship’s cook.*

**Methods to Achieve Compliance**

Shipowners should conduct age verification checks to determine that seafarers under the age of 18 are not used as a ship’s cook.

**Sample Procedures**

The shipowner should have documented procedures for the employment process with manning agents and for seafarer compensation.

**Sample Records**

- Crew lists
- Payroll records
TITLE 3: Accommodation, Recreational Facilities, Food and Catering

References

Reg. 3.1 Accommodations

- ILO Accident prevention on board ship at sea and in port, 1996, section 23, Safety in living accommodations
- ILO Ambient Factors in the Workplace, 2001
  o 2.1, Role and obligations of the competent authority
  o 2.2, General responsibilities of employers
  o 5, Ionizing radiation
  o 6, Electric and magnetic fields
  o 7, Optical radiation
  o 8, Heat and cold
  o 9, Noise
  o 10, Vibration
- ABS Guide for Crew Habitability on Ships, 2001
- WHO, International Medical Guide for Ships, 1988, chapter 15, Environmental control on board ship (Ventilation)

Reg. 3.1 Recreational Facilities

- ILO, Accident prevention on board ship at sea and in port, 1996, chapter 23, Safety on living accommodation
- ILO, Ambient Factors in the Workplace, 2001
  o 2.1, Role and obligations of the competent authority
  o 2.2, General responsibilities of employers
  o 5, Ionizing radiation
  o 6, Electric and magnetic fields
  o 7, Optical radiation
  o 8, Heat and cold
  o 9, Noise
  o 10, Vibration
- ABS Guide for Crew Habitability on Ships, 2001
- WHO, International Medical Guide for Ships, 1988, Chapter 15, Environmental control on board ship (Sanitary inspection)

Reg. 3.2 Food and Catering

- ILO, Accident prevention on board ship at sea and in port, 1996, chapter 22, Working in galleys, pantries and other food handling areas
- ILO, Ambient Factors in the Workplace, 2001, section 2.2, General responsibilities of employers
- WHO, International Medical Guide for Ships, 1988, chapter 15, Environmental control on board (Liquid transport and potable water)
**TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection**

**REG. 4.1 Medical care on board ship and ashore**

**Purpose**

To protect the health of seafarers and ensure their prompt access to medical care on board ship and ashore.

**Key Issues**

1. Each Member shall ensure that all seafarers on ships that fly its flag are covered by adequate measures for the protection of their health and that they have access to prompt and adequate medical care whilst working on board.

2. The protection and care under paragraph 1 of this Regulation shall, in principle, be provided at no cost to the seafarers.

3. Each Member shall ensure that seafarers on board ships in its territory who are in need of immediate medical care are given access to the Member’s medical facilities on shore.

4. The requirements for on-board health protection and medical care set out in the Code include standards for measures aimed at providing seafarers with health protection and medical care as comparable as possible to that which is generally available to workers ashore.
Title 4: Health Protection, Medical Care, Welfare and Social Security Protection

Std. 4.1.1 Medical care on board ship and ashore

Mandatory

Each Member shall ensure that measures providing for health protection and medical care, including essential dental care, for seafarers working on board a ship that flies its flag are adopted which:

(a) ensure the application to seafarers of any general provisions on occupational health protection and medical care relevant to their duties, as well as of special provisions specific to work on board ship;

(b) ensure that seafarers are given health protection and medical care as comparable as possible to that which is generally available to workers ashore, including prompt access to the necessary medicines, medical equipment and facilities for diagnosis and treatment and to medical information and expertise;

(c) give seafarers the right to visit a qualified medical doctor or dentist without delay in ports of call, where practicable;

(d) ensure that, to the extent consistent with the Member’s national law and practice, medical care and health protection services while a seafarer is on board ship or landed in a foreign port are provided free of charge to seafarers; and

(e) are not limited to treatment of sick or injured seafarers but include measures of a preventive character such as health promotion and health education programmes.

Methods to Achieve Compliance

Provision of Medical Care

The shipowner should provide medical and dental care for seafarers. The extent of this medical and dental care is to be determined by the flag State and the shipowner should consult with these regulations for clarification and guidance. In general, the seafarer should have comparable health care as that generally available to workers ashore.

Not all ships are required to carry a medical doctor. Ships that fall into this category and that ordinarily trade within eight hours of medical facilities should have at least one designated seafarer with STCW-approved medical first-aid training. The shipowner should subscribe to medical advice services by radio or satellite communications.

All other ships should have at least one designated seafarer for medical care as described above and, in addition, this seafarer should have practical medical care training and training in life-saving techniques such as intravenous therapy. This designated seafarer should be able to coordinate medical assistance, using the radio or satellite communication services, to care for the injured or sick seafarer until such time that the patient can be removed from the ship to a shore-side medical facility. The shipowner should define medical evacuation procedures which could include rescue from a confined space, helicopter rescue, and stretcher (Stoke’s litter) drills.

Continued on next page
Methods to Achieve Compliance (continued)

**Health Protection, Medical Care, Welfare and Social Security Protection**

**STD. 4.1.1 Medical care on board ship and ashore, Continued**

**Insurance Coverage**

The shipowner should consider obtaining medical/dental insurance coverage for seafarers while on board the ship.

**Cargo Interface with Seafarers**

The shipowner should coordinate the types of cargoes carried and the requisite personal protective equipment (PPE) that will be needed for safe handling. Antidotes should be carried to combat seafarers that are affected by cargoes carried, either through inhalation, ingestion, absorption, etc. Guidance should cover respiratory protection, hazard communication and hazardous material handling, etc.

**Publications**

The shipowner should maintain an up-to-date list of radio and earth stations from which medical advice can be obtained. The ship’s medical guide and the *International Code of Signals* should be available to the designated seafarer for medical care or doctor, as applicable. The shipowner should establish the type of information needed by the medical care provider.

The shipowner should refer to information regarding occupational accidents, diseases, and fatalities which may be available through the flag State and industry publications in order to integrate lessons learned into the management system.

The shipowner should make provisions for exchanges of technical information as well as international training courses and seminars, as needed.

The shipowner should obtain the *International Medical Guide for Ships*, the *Medical First Aid Guide for Use in Accidents Involving Dangerous Goods*, the *Document for Guidance – An International Maritime Training Guide*, and the medical section of the *International Code of Signals* as well as similar national guides for assistance in developing medical assistance and evacuation programs. Ships should carry a set of code flags in order to communicate with other ships in instances when radio communication is not possible.

The shipowner should maintain current copies of the above publications in the company’s office and on board each ship.

*Continued on next page*
Methods to Achieve Compliance (continued)

**Medical Care Ashore**

The shipowner should define provisions for medical care for seafarers while in port. Manning levels are to include the personnel required to have medical first-aid or care training, as applicable.

The shipowner should define the process by which approved medical facilities in the ports of call are selected. The responsibility for keeping this list up-to-date should be defined. The ship’s agent should be instructed to provide seafarer’s access to approved medical facilities.

Guidance on handling seafarer medical and dental treatment when in port should be provided to the master.

The shipowner should assist seafarers suffering from disease in gaining admission to medical facilities for care. Provision should be made for supplemental treatment for these seafarers as necessary.

**Medical Assistance to Other Ships and International Cooperation**

The shipowner should provide guidance to the master for rendering aid to other vessels in distress. Guidance can be obtained from the International Convention on Maritime Search and Rescue, 1979, as amended, and the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual. These publications should be on board the ship and in the shipowner’s office.

The shipowner should provide applicable equipment for emergency evacuation of seafarers. Equipment can include Stoke’s litter, stretchers, properly marked helicopter landing area, breeches buoy, etc. This equipment should be properly maintained.

**Repatriation**

The shipowner should provide guidance regarding seafarer repatriation. Guidance could include obtaining appropriate medical advice and seeing that the seafarer’s wishes and needs are taken into account.

**Deceased Seafarer**

The shipowner should address how to handle deceased seafarers, including accounting for the wishes of the next of kin in an expeditious manner.

**Dependants of Seafarers**

Each Member should adopt measures of medical care and services for the dependants of seafarers domiciled in its territory and inform ILO of these measures. The shipowner should monitor this information and communicate it to its seafarers.

Continued on next page
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.1.1 Medical care on board ship and ashore, Continued

Sample Procedures

The company should have documented procedures regarding

a) medical care for seafarers in port; medical evacuation; and for monitoring and maintenance of access to and integration of current flag State, and other applicable regulations, particularly with regards to seafarer health care;

b) personal protective equipment, respiratory protection, and handling hazardous materials;

c) document control and for medical supplies and equipment;

d) ship’s agents, medical care for seafarers in port, and medical treatment and services for seafarers and their dependants; and

e) assisting ships in distress, for seafarer repatriation, and for death of a seafarer.

Sample Records

• Training certificates
• Medical records
• Insurance coverage records
• Cargo manifests
• PPE inspection records
• Material Safety Data Sheets (MSDSs)
• Control of Substances Hazardous to Health documentation (COSHH)
• Radio Station publications
• International Code of Signals
• Ship’s Medical Guide by WHO/IMO
• Lists of approved medical facilities
• Ship agent agreements
• IAMSAR Manual (Volumes I-III)
• Maintenance and inspection records of rescue equipment
• Lost-time hours
• Trending/analysis
• Payroll records
• Documentation regarding medical service facilities in seafarer’s domiciles
**TITLE 4:** Health Protection, Medical Care, Welfare and Social Security Protection

**STD. 4.1.2** Medical care on board ship and ashore

**Mandatory**

The competent authority shall adopt a standard medical report form for use by the ships’ masters and relevant onshore and on-board medical personnel. The form, when completed, and its contents shall be kept confidential and shall only be used to facilitate the treatment of seafarers.

**Methods to Achieve Compliance**

The shipowner should incorporate the standard medical report form from the flag State into the shipowner’s management system. Guidance and requirements for handling affected seafarers, including confidentiality of records, should be defined.

The shipowner should obtain the standard medical report form and distribute it to the ship for the use of the medical personnel. Should the flag State not provide this standard medical report form, an example template can be found in the *International Medical Guide for Ships*. The shipowner should describe the use of the form.

**Sample Procedures**

The company should have documented procedures for processing seafarer personal data and for monitoring and maintenance of access to and integration of current flag State, and other applicable regulations. The procedure should include a standard medical report form.

**Sample Records**

- Medical records
- List of approved medical facilities
## TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

### STD. 4.1.3 Medical care on board ship and ashore

#### Mandatory

*Each Member shall adopt laws and regulations establishing requirements for on-board hospital and medical care facilities and equipment and training on ships that fly its flag.*

#### Methods to Achieve Compliance

The shipowner should establish a training program that is periodically checked for compliance. Seafarers on all ships that are designated to provide medical care should undergo refresher training at least every five years.

The shipowner should provide hospital and medical care facilities on board the ship. The outfitting and design of these facilities should be based upon flag State requirements and in accordance with guidance in the various international publications.

#### Sample Procedures

The company should have documented procedures regarding inspection and maintenance of medical care facilities and equipment, and training programs regarding medical care on board.

#### Sample Records

- Training records
- Audit reports
- Inspections of medical facilities and equipment
TITLE 4: Health Protection, Medical Care, Welfare and Social Security

STD. 4.1.4 Medical care on board ship and ashore

Mandatory

National laws and regulations shall as a minimum provide for the following requirements:

(a) all ships shall carry a medicine chest, medical equipment and a medical guide, the specifics of which shall be prescribed and subject to regular inspection by the competent authority; the national requirements shall take into account the type of ship, the number of persons on board and the nature, destination and duration of voyages and relevant national and international recommended medical standards;

(b) ships carrying 100 or more persons and ordinarily engaged on international voyages of more than three days’ duration shall carry a qualified medical doctor who is responsible for providing medical care; national laws or regulations shall also specify which other ships shall be required to carry a medical doctor, taking into account, inter alia, such factors as the duration, nature and conditions of the voyage and the number of seafarers on board;

(c) ships which do not carry a medical doctor shall be required to have either at least one seafarer on board who is in charge of medical care and administering medicine as part of their regular duties or at least one seafarer on board competent to provide medical first aid; persons in charge of medical care on board who are not medical doctors shall have satisfactorily completed training in medical care that meets the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (“STCW”); seafarers designated to provide medical first aid shall have satisfactorily completed training in medical first aid that meets the requirements of STCW; national laws or regulations shall specify the level of approved training required taking into account, inter alia, such factors as the duration, nature and conditions of the voyage and the number of seafarers on board; and

(d) the competent authority shall ensure by a prearranged system that medical advice by radio or satellite communication to ships at sea, including specialist advice, is available 24 hours a day; medical advice, including the onward transmission of medical messages by radio or satellite communication between a ship and those ashore giving the advice, shall be available free of charge to all ships irrespective of the flag that they fly.

Methods to Achieve Compliance

The shipowner should establish quantities of medicines and supplies, as well as requirements for replenishment in the medicine chest. Use of the International Medical Guide for Ships (IMO/WHO) can provide the necessary guidance regarding stocking the medical facilities.
**Methods to Achieve Compliance (continued)**

The shipowner should verify medical inventory on a periodic basis, preferably monthly. Controlled drugs, such as morphine, should be either kept in the master’s safe or behind at least a double-lock system in the medical facility.

The shipowner should provide guidance for disposal of unused, expired medicines. Disposal of sharps and biological wastes should be addressed. Maintenance programs should include medical equipment.

The shipowner should refer to flag State regulations regarding the need to carry a qualified medical doctor. A job description and related instructions regarding roles and responsibilities should be provided.

The shipowner should designate at least one seafarer on board to be in charge of medical care or at least one seafarer who is competent to provide medical care at all times. The shipowner should verify that these seafarers are trained in facilities approved by the flag State.

The GMDSS or Radio Operator should have publications on board that provide a means of access to shore-side medical facilities. The shipowner should also maintain current copies of these publications in the shipowner’s office.

**Sample Procedures**

The company should have a documented procedure regarding inspection and maintenance of medical supplies and equipment.

**Sample Records**

- Inventory records
- Disposal records
- Maintenance records
- Competency records of qualified medical doctors, if applicable
- Job descriptions
- Training certificates
- Copies of licenses
- Radio logs
- Medical logs
- Index of publications
- Crew lists
- Minimum Safe Manning Certificate (MSMC) or Certificate of Inspection (COI)
Title 4: Health Protection, Medical Care, Welfare and Social Security Protection

Reg. 4.3 Health and safety protection and accident prevention

Purpose

To ensure that seafarers’ work environment on board ships promotes occupational safety and health.

Key Issues

1. Each Member shall ensure that seafarers on ships that fly its flag are provided with occupational health protection and live, work and train on board ship in a safe and hygienic environment.

2. Each Member shall develop and promulgate national guidelines for the management of occupational safety and health on board ships that fly its flag, after consultation with representative shipowners’ and seafarers’ organizations and taking into account applicable codes, guidelines and standards recommended by international organizations, national administrations and maritime industry organizations.

3. Each Member shall adopt laws and regulations and other measures addressing the matters specified in the Code, taking into account relevant international instruments, and set standards for occupational safety and health protection and accident prevention on ships that fly its flag.
**TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection**

**STD. 4.3.1 Health and safety protection and accident prevention**

**Mandatory**

The laws and regulations and other measures to be adopted in accordance with Regulation 4.3, paragraph 3, shall include the following subjects:

(a) the adoption and effective implementation and promotion of occupational safety and health policies and programmes on ships that fly the Member’s flag, including risk evaluation as well as training and instruction of seafarers;

(b) reasonable precautions to prevent occupational accidents, injuries and diseases on board ship, including measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals as well as the risk of injury or disease that may arise from the use of equipment and machinery on board ships;

(c) on-board programmes for the prevention of occupational accidents, injuries and diseases and for continuous improvement in occupational safety and health protection, involving seafarers’ representatives and all other persons concerned in their implementation, taking account of preventive measures, including engineering and design control, substitution of processes and procedures for collective and individual tasks, and the use of personal protective equipment; and

(d) requirements for inspecting, reporting and correcting unsafe conditions and for investigating and reporting on-board occupational accidents.

**Methods to Achieve Compliance**

Provisions on Occupational Accidents, Injuries, and Diseases

The shipowner should obtain copies of the ILO code of practice “Accident prevention on board ship at sea and in port,” 1996, and subsequent versions and other related ILO and international standards, guidelines, and codes of practice regarding occupational safety and health protection.

The shipowner should identify health and safety risks associated with various shipboard activities to which seafarers might be exposed. Examples of processes that provide safeguards against identified risks are risk assessment, permit to work, behavioral-based safety programs, orientation programs for new seafarers (conducted by the shipowner or manning agency for general information) explaining the shipowner’s health policies, etc.

Examples of other types of considerations concern the use of survival suits and self-contained breathing apparatus, instructions on use of tools, evaluation of noise levels, heat/cold interfaces, working with asbestos and hazardous materials, personal protective equipment, respiratory protection, etc.

*Continued on next page*
Seafarers should be trained in the use of health and safety equipment. The equipment should be maintained in accordance with the documented maintenance program. Seafarers should be trained in the shipowner’s programs and the procedures should be periodically audited.

The shipowner should consult with the applicable ABS Crew Habitability Guides when designing and building new ships. Programs to implement include risk assessment processes; permit to work; behavioral-based safety; safety-stop-work programs (time out for safety [(TOFS) or STOP (Safety Training Observation Program)]; corrective/preventive action system; formal process for reporting and documenting near misses, unsafe conditions, and incidents; and root cause analyses with implementation and follow-up for effectiveness.

Shipowners should consider the four levels of risk reduction that are available. The first level of risk reduction is to eliminate the risk through design, e.g., grind sharp edges smooth or totally enclose moving machinery. The second level is to engineer the risk, e.g., provide guards on moving machinery. The third level is administrative that is accomplished through the use of training and safe work practices. The final level is to reduce risk through the use of personal protective equipment (PPE).

**Obligations of Shipowners**

The shipowner should establish a documented procedure to identify the types of PPE that should be used by the seafarers and training needed in their use. A Ship’s Safety Officer should be assigned responsibility for maintaining the equipment and to train the seafarers. Crew should be required to wear appropriate gear. Behavioral-based safety programs should be implemented to help the seafarer identify risks and implement appropriate safeguards. Disciplinary measures may need to be invoked for seafarers that negligently fail to use the provided PPE.

The shipowner should provide for machinery to be properly guarded to protect the seafarers when operating it. Likewise, the seafarer should be instructed not to operate machinery that is not properly guarded, and cautioned against bypassing any machinery safeguards during regular operations. The shipowner should take note of Articles 7 and 11 of the Guarding of Machinery Convention, 1963 (No. 119), and the corresponding provisions of the Guarding of Machinery Recommendation, 1963 (No. 118) for developing guidance for seafarers in the management system.

**Reporting and Collection of Statistics**

The shipowner should record and collect health, safety and environmental data regarding occupational accidents, injuries, and diseases. Trending analyses should be conducted.

*Continued on next page*
Health Protection, Medical Care, Welfare and Social Security Protection

P. 4.3.1 Health and safety protection and accident prevention, Continued

Methods to Achieve Compliance (continued)

Statistical data collection parameters should include the numbers, nature, causes and effects of occupational accidents and occupational injuries and diseases. The shipowner should identify the affected department, type of accident, and whether the accident occurred in port or at sea. Shipowners may wish to collect data regarding time of day, weather, person’s length of service on board, and number of years experience on board ships.

There are many tools and methods of analysis available to the shipowner. One system should be incorporated into the management system in order to achieve a consistency of investigation of occupational incidents. Some of these tools include TopSet, the 5 Why’s, Taproot, Pareto Analysis, and Fishbone diagrams. Root cause analysis is a vital tool in any investigation for corrective action. Implemented corrective action should be followed-up for effectiveness.

When determining the corrective actions, the shipowner should consider the following areas as subjects of investigation. The resulting corrective action should effectively eliminate the contributing factors (root causes) to the accidents throughout the fleet.

- working environment, such as working surfaces, layout of machinery, means of access, lighting and methods of work
- incidence in different age groups of occupational accidents and occupational injuries and diseases
- special physiological or psychological problems created by the shipboard environment, such as trading in extremely dangerous waters
- problems arising from physical stress on board a ship, in particular as a consequence of increased workload
- problems arising from and effects of technical developments and their influence on the composition of crews
- problems arising from any human failures

National Protection and Prevention Programs

The shipowner should monitor flag State requirements and guidelines to identify measures for improving safety, health, and environmental performance of seafarers.

The shipowner should develop appropriate training programs for the seafarers. The shipowner should establish a documented procedure which defines the maximum ambient levels and to provide for appropriate PPE, as applicable. The shipowner should consider applying for membership on relevant committees for first-hand information. On-board committees should be formed to assist implementation of relevant protection programs.

The shipowner should ensure that seafarers are included in periodic safety meetings and with the Safety Committee on board.
TITLE 4: Health Protection, Medical Care, Welfare and Social Security

STD. 4.3.1 Health and safety protection and accident prevention, Continued

Methods to Achieve Compliance (continued)

Content of Protection and Prevention Programs
The shipowner should define the roles of the seafarers in the protection and prevention programs. Flag State and other industry organization regulations and recommendations should be monitored. Best practices should be incorporated into the shipowner’s management system, as appropriate.

Instruction in Occupational Safety and Health Protection and the Prevention of Occupational Accidents
The shipowner should monitor new developments to update established training programs to meet current flag State requirements.

The shipowner should provide means by which seafarers are regularly apprised of safety and health protection and accident prevention methods and reminders. Means include educational audiovisual materials, posters, industry publications, and focused campaigns on safety and health issues that have indicated upward trends of frequency and consequence.

The shipowner should define the role of personnel so that reviews of available material are conducted and corrective actions implemented as appropriate.

Nationalities, languages, and cultures of seafarers on board ship should be taken into account.

Safety and Health Education of Young Seafarers
The shipowner should monitor flag State regulations and guidelines for health and safety protection of young seafarers. The shipowner should specify measures to reduce occupational dangers.

The shipowner should verify that all seafarers, particularly those under the age of 18, who are not fully qualified as defined by the flag State, do not undertake certain tasks without appropriate supervision and instruction.

Continued on next page
The shipowner should ascertain whether or not the flag State has developed regulations regarding types of work that are prohibited or that may be conducted with proper supervision for seafarers under the age of 18. Examples of operations that may be regulated include some or all of the following:

- lifting, moving or carrying of heavy loads or objects
- entry into enclosed spaces
- exposure to excessive noise and vibration
- operating hoisting and powered machinery or acting as a signaler
- handling mooring and towing lines
- rigging and working aloft
- performing nightwatch duties
- working on and maintaining electrical equipment
- handling potentially harmful materials (e.g., toxic, dangerous, ionizing, etc.)
- cleaning catering machinery
- handling or taking charge of ships’ boats

Information regarding excessive noise and vibration can be obtained from the applicable ABS Crew Habitability Guides. In general, in any manned crew space with noise levels above 85 decibels, hearing protection should be worn in accordance with the standards as promulgated by appropriate IMO, flag State, national, and/or company regulations.

The shipowner should define the roles of personnel to have access to information regarding prevention of accidents and protection of their health on board and make this available on board the ships. Ship familiarization processes can be used for this purpose. The shipowner could identify approved training courses for seafarers under the age of 18 to attend.

The shipowner should develop a training program for young seafarers regarding the abuse of alcohol and drugs and other potentially harmful substances, and the risk and concerns relating to HIV/AIDS and other health risk related activities.

International Cooperation

The shipowner should define the roles of personnel to monitor flag State activities and verify that current codes of practice and standards regarding safety and health are incorporated into the management system, as applicable. The shipowner should ascertain if reciprocity agreements between flag States have been established for any approved training facilities that might be used to further enhance safety and health practices on board.
The company should have documented procedures regarding:

a) lifesaving and fire-fighting equipment, risk assessment, permit to work (PTW) system, working in enclosed spaces, seafarer on-board familiarization processes, personal protective equipment (PPE), and behavioral-based safety, and competency requirements for seafarers.

b) incident reporting and statistics and for corrective and preventive action, internal auditing of the management system, and document control.

c) monitoring and maintenance of access to and integration of current flag State and other applicable regulations, safety committees and safety meetings, management of change, job descriptions, and competency requirements.

Sample Records

- Copies of relevant publications related to health and safety protection, both on the ship and in the shipowner’s office
- Training records
- Risk assessment records
- Permit to work records
- Behavioral-based safety records
- Corrective/preventive action records
- Audit records
- PPE maintenance records
- Statistical records
- Trending analyses
- Incident investigation reports
- Follow-up activities to determine effectiveness of corrective and preventive actions
- Membership/Committee minutes
- Work list items (status of completion)
- Safety Meeting minutes
- Reviews of flag State requirements
- Safety and health video libraries
- Training records
- Posted signs in relevant languages
- Time sheets
- Payroll records
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.3.2 Health and safety protection and accident prevention

Mandatory

The provisions referred to in paragraph 1 of this Standard shall:

(a) take account of relevant international instruments dealing with occupational safety and health protection in general and with specific risks, and address all matters relevant to the prevention of occupational accidents, injuries and diseases that may be applicable to the work of seafarers and particularly those which are specific to maritime employment;

(b) clearly specify the obligation of shipowners, seafarers and others concerned to comply with the applicable standards and with the ship’s occupational safety and health policy and programme with special attention being paid to the safety and health of seafarers under the age of 18;

(c) specify the duties of the master or a person designated by the master, or both, to take specific responsibility for the implementation of and compliance with the ship’s occupational safety and health policy and programme; and

(d) specify the authority of the ship’s seafarers appointed or elected as safety representatives to participate in meetings of the ship’s safety committee. Such a committee shall be established on board a ship on which there are five or more seafarers.

Methods to Achieve Compliance

Training and Awareness

The shipowner should provide training for personnel regarding all identified risks as appropriate. The shipowner should define the types of equipment that will be needed, including those tasks that require the use of outside technical experts. Seafarers should be familiarized with their duties with maintenance of equipment or structures with an obligation to ensure that only trained seafarers are allowed to handle such tasks.

General information regarding health and safety issues should be provided to the seafarers, with particular attention paid to seafarers under the age of 18.

The shipowner should provide training during orientation and periodically so that seafarers are made aware of issues regarding the effects of coming into contact with surfaces that are at extremely high or low temperature.

The shipowner should verify that personnel are competent to operate equipment, particularly that equipment associated with loading and unloading of cargo.

The shipowner should provide for applicable seafarers to receive appropriate on-the-job training in the use of anchors, chains, lines, and ground tackle.
The shipowner should provide for applicable seafarers to receive appropriate on-the-job training in the use and operation of dangerous cargo and ballast equipment.

The shipowner should consider providing awareness training for seafarers in assessing fatigue.

The shipowner should consider providing relevant information to new seafarers and to seafarers on board the ships regarding drug and alcohol dependency. Assistance programs may also be considered.

The shipowner should consider providing relevant information to new seafarers and to seafarers on board the ships regarding HIV/AIDS. Assistance programs may also be considered.

**Safety of Equipment**

The shipowner should verify that guards are maintained on equipment and that competent personnel operate and maintain the equipment.

The shipowner should define the type of personal protective equipment (PPE) that is required, maintenance requirements for this equipment, and training of personnel that are to use the equipment. Regarding respiratory protection, designated personnel should be fit tested.

**Surveys**

The shipowner should consider conducting noise surveys, augmented with awareness training, a hearing protection program, and signage.

The shipowner should consider conducting vibration surveys.

The shipowner should consider full asbestos abatements whenever possible. Asbestos surveys should be conducted periodically.

The shipowner should consider lighting, ventilation and heating factors as they affect the seafarer. Included in the consideration for ventilation, the effects of exposure to tobacco smoke in the accommodations should be addressed.

**Committees**

The shipowner should establish on-board safety committees. Issues that are identified should be promptly addressed. The authority of the seafarers elected as safety representatives should be defined.
Methods to Achieve Compliance (continued)

Emergency Preparedness
Station bills and emergency response teams should be established, including a program of training and drills.

The shipowner should put in place emergency plans and programs such as the following:

- Shipboard Oil Pollution Emergency Plan (SOPEP) for MARPOL
- Emergency Response Manual
- Vessel Response Plan (US)
- Drills/exercises
- Identification and maintenance of emergency equipment
- Emergency and evacuation drills
- Rescue drills

Emergency response programs should be at both ship and shore locations. Documented emergency response plans should periodically be tested for suitability and effectiveness.

Occupational Safety and Health
The shipowner should address working within enclosed spaces. The shipowner should include requirements for assessing the risk of a task, checking for oxygen content, explosive limits, and toxic vapors. Rescue plans should be developed. Appropriate test equipment should be provided and calibrated in accordance with manufacturer’s instructions before use. Personnel should be appropriately trained in monitoring work and effecting rescue of personnel within the enclosed space who are injured or overcome.

Sample Procedures
The company should have documented procedures regarding asbestos handling, noise and vibration surveys, safety committees and safety meetings, emergency response training and drills, personal protective equipment (PPE), and working in enclosed spaces. Responsibility and authority of the master should be defined. Documents to be provided to seafarers during recruitment, and competency requirements for seafarers should be listed.

Sample Records
- Operations and Maintenance Manual for asbestos, if applicable
- Safety committee meeting minutes
- Survey reports
- Asbestos abatement reports

Continued on next page
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.3.2 Health and safety protection and accident prevention, Continued

Sample Records (continued)

- Noise survey reports
- Vibration survey reports
- Corrective and preventive action records
- Emergency drill records
- On-the-job training records
- PPE inventory/maintenance/training records
- Fit tests (for respirators that rely on a mask-to-face seal)
- Risk assessment records
- Atmospheric test records
- Awareness training records
- Copies of drug and alcohol and HIV/AIDS informational publications
**Title 4: Health Protection, Medical Care, Welfare and Social Security Protection**

**STD. 4.3.3 Health and safety protection and accident prevention**

**Mandatory**

The laws and regulations and other measures referred to in Regulation 4.3, paragraph 3, shall be regularly reviewed in consultation with the representatives of the shipowners’ and seafarers’ organizations and, if necessary, revised to take account of changes in technology and research in order to facilitate continuous improvement in occupational safety and health policies and programmes and to provide a safe occupational environment for seafarers on ships that fly the Member’s flag.

**Methods to Achieve Compliance**

The shipowner should monitor changes in the laws, regulations, and new developments, as applicable, to reduce health and safety risks on the ships. Lifting gear inspections and waste handling procedures are means of reducing risks to safety and the environment. Physical occupational health effects, including manual handling of loads, noise and vibration, the chemical and biological occupational health effects, the mental occupational health effects, the physical and mental health effects of fatigue, and occupational accidents should be addressed within the risk assessments.

**Sample Procedures**

The company should have documented procedures for monitoring changes in laws, regulations, and new developments as applicable to the health and safety of seafarers and for continuous improvement.

**Sample Records**

- Risk assessments
- Management of change documentation incorporating risk reduction measures into the management system
- Review of national regulations and their updates
- Industry publications indicating new developments
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.3.4 Health and safety protection and accident prevention

Mandatory

Compliance with the requirements of applicable international instruments on the acceptable levels of exposure to workplace hazards on board ships and on the development and implementation of ships’ occupational safety and health policies and programmes shall be considered as meeting the requirements of this Convention.

Methods to Achieve Compliance

The shipowner should monitor regulations and industry organizations to verify that mandatory and recommendatory issues related to health and safety are integrated within the management system as appropriate. Examples include SOLAS, MARPOL, Occupational Safety and Health Administration (OSHA – US), Health, Safety, and Environmental (HSE – UK), Environmental Protection Agency (EPA –US), etc. Areas such as emergency and accident response, the effects of drug and alcohol dependency, and HIV/AIDS protection and prevention should be addressed. Internal audits should be conducted to determine compliance, suitability, and effectiveness of these programs.

Sample Procedures

The company should have documented procedures regarding acceptable levels of exposure to workplace hazards, emergency response training and drills, seafarer on-board familiarization process, internal auditing of the management system, and documents to be provided to seafarers during recruitment.

Sample Records

• Reports of accidents/incidents
• Emergency response drill records
• Familiarization training records
• Manning agency agreements
• Internal audit records
Title 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.3.5 Health and safety protection and accident prevention

Mandatory

The competent authority shall ensure that:

(a) occupational accidents, injuries and diseases are adequately reported, taking into account the guidance provided by the International Labour Organization with respect to the reporting and recording of occupational accidents and diseases;

(b) comprehensive statistics of such accidents and diseases are kept, analysed and published and, where appropriate, followed up by research into general trends and into the hazards identified; and

(c) occupational accidents are investigated.

Methods to Achieve Compliance

The shipowner should identify what requirements the flag States have established regarding reporting occupational accidents, injuries, and diseases. The shipowner should maintain access to statistical information published by the flag States to develop preventive actions, as appropriate, and benchmark its performance.

The shipowner should provide awareness training for identification of areas where noise and vibrations are at elevated levels. Noise and vibration surveys should be conducted and high-noise areas marked accordingly. Personal protective equipment (PPE) should be readily available. Inspections should be conducted at regular intervals to verify that the PPE is maintained and that there are sufficient quantities for people to use. The ABS Crew Habitability Guides should be used as a reference.

The shipowner should conduct risk assessments and define the types of statistics to be measured. Examples include first aid treatment (FAT), medical treatment only (MTO), lost-time incident (LTI), and fatality. The procedure should identify the means to collect and analyze the data and also facilitate trend analysis.

Sample Procedures

The company should have documented procedures regarding investigating, reporting, and recording incidents, accidents, sickness and diseases. The procedure may include periodic measurements related to noise, vibration, incidents/accidents, etc.

Sample Records

- Training records
- Noise surveys
- PPE maintenance inspection records
- Risk assessment records
- Personal injury and illness records
**TITLE 4:** Health Protection, Medical Care, Welfare and Social Security Protection

**STD. 4.3.6** Health and safety protection and accident prevention

---

**Mandatory**

*Reporting and investigation of occupational safety and health matters shall be designed to ensure the protection of seafarers’ personal data, and shall take account of the guidance provided by the International Labour Organization on this matter.*

---

**Methods to Achieve Compliance**

The shipowner should maintain confidentiality of seafarers’ personal data.

---

**Sample Procedures**

The company should have documented procedures regarding processing of seafarers’ personal data. Additionally, procedures for reporting and investigation of occupational, health and safety matters should include provisions for protection of seafarers’ personal data.

---

**Sample Records**

- Personnel records
- Incident statistics records
**TITLE 4:** Health Protection, Medical Care, Welfare and Social Security Protection

**STD. 4.3.7** Health and safety protection and accident prevention

**Mandatory**

*The competent authority shall cooperate with shipowners’ and seafarers’ organizations to take measures to bring to the attention of all seafarers information concerning particular hazards on board ships, for instance, by posting official notices containing relevant instructions.*

**Methods to Achieve Compliance**

The shipowner should provide seafarers with information regarding potential hazards aboard ships. This information may be obtained from the flag States; international bodies such as IMO, ILO, and WHO; and industry organizations such as ICS and ISF. The information may be provided by posting, official notices, posters, memoranda, etc.

**Sample Procedures**

The shipowner should have a documented procedure for identifying potential hazards on board the vessel and for the familiarization of seafarers with those hazards. The posting of notices/posters may be used for communicating potential hazards and their effects on seafarers’ safety and health.

**Sample Records**

- Hazardous materials training and awareness records
- Inventories of hazardous materials on board
- Notices/posters for communicating potential hazards
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.3.8 Health and safety protection and accident prevention

Mandatory

The competent authority shall require that shipowners conducting risk evaluation in relation to management of occupational safety and health refer to appropriate statistical information from their ships and from general statistics provided by the competent authority.

Methods to Achieve Compliance

The shipowner should conduct risk assessment of working and living conditions on board ships. Statistics provided by flag States and other sources should be considered for risk assessment and developing mitigation measures including training.

Exposure to Noise

The shipowner should conduct awareness training for adverse effects of high noise levels. The shipowner should attempt to reduce the effects of exposure to excessive noise on the hearing, health and comfort of seafarers and the measures to be prescribed or recommended to reduce shipboard noise to protect seafarers. Noise reduction can be achieved during the design phase of new ships.

The shipowner should establish a hearing protection program incorporating awareness training regarding the effects of exposure to high noise levels and the use of personal protective equipment (PPE) to mitigate the exposure.

The shipowner should identify approved types of PPE that best suit the needs of the seafarers in the workplace. Safety catalogues could be established.

The shipowner should consider providing appropriate levels of insulation and noise reduction materials on the ship. Risk assessments should be conducted prior to work in high-noise areas in order to mitigate risks in the most effective manner.

Exposure to Vibration

The shipowner should consider implementing a program of safety posters and topics in safety meetings to discuss vibration issues. Vibration studies should be conducted and corrective action implemented as applicable. Vibration reduction within the accommodations, recreational, and catering facilities should be emphasized.

The shipowner should consider maintaining the ILO publication, Ambient Factors in the Workplace, 2001 in the shipowner and ships’ libraries. The shipowner should provide information on the effects of prolonged exposure to vibration. Approved PPE should be obtained as necessary.

The shipowner may refer to the ABS Crew Habitability Guides for more information.

Continued on next page
Sample Procedures
The company should have documented procedures regarding seafarer on-board familiarization process, risk assessment, and PPE.

Sample Records
- Training records
- Familiarization records
- Risk assessment records
- Mitigation records
- Shipyard reports indicating installation of noise reduction measures
- Purchasing records
- PPE inspection records
- Vibration study reports
- Corrective action
- Preventive action resulting from flag State guidance or recommendations
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

References

Reg. 4.1 Medical care on-board a ship and ashore

- ILO, Accident prevention on board ship at sea and in port, 1996, section 2.1.10, General duties and responsibilities
- ILO, Ambient Factors in the Workplace, 2001
  - 2.2, General responsibilities of employers
  - 2.3, General duties of workers
  - 2.4 (b) (ii), General responsibilities of suppliers, manufacturers, designers and architects
  - 2.5, Rights of workers
  - 2.6.2, Cooperation
  - 3.1, Assessment of hazards and risks and prevention and control measures
  - 3.2, Review of assessment
  - 3.3, Prevention and control
  - 3.4, Surveillance of the working environment
  - 3.5, Workers’ health surveillance
  - 4, Hazardous substances
- ISF, Guidelines on Good Employment Practice, 2001
  - 4.1, Health and Medical Care On Board
  - 4.2, Sick Pay and Medical Costs
- IMO International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended
- IMO Resolution A.930(22), Guidelines on Provision of Financial Security in Case of Abandonment of Seafarers
- IMO Resolution A.931(22), Guidelines on Shipowners’ responsibilities in Respect of Contractual Claims for Personal Injury to or Death of Seafarers
- IMO Council C/92/6/1, International instrument for fair treatment of seafarers
- IMO Circulars
  - 2575, Outcome of the discussions of the IMO Legal Committee and the ILO governing body on the recommendations of the Joint IMO/ILO Ad Hoc Expert Working Group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers, at its fifth session
  - 2599, Meeting of a Joint IMO/ILO Ad Hoc Expert Working Group on fair treatment of Seafarers
  - 2636, Sixth session of the Joint IMO/ILO Ad Hoc Expert Working Group on liability and compensation regarding claims for death, personal injury and abandonment of seafarers
  - 2711, Guidelines on fair treatment of seafarers in the event of a maritime accident

Continued on next page
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection
References, Continued

Reg. 4.3 Health and safety protection and accident prevention

- ABS, Guide for Crew Habitability on Ships, 2001
- ILO, Ambient Factors in the Workplace, 2001
  - 2.2, General responsibilities of employers
  - 2.3, General duties of workers
  - 2.4, General responsibilities of suppliers, manufacturers, designers and architects
  - 2.5, Rights of workers
  - 2.6, Cooperation
  - 3, General principles of prevention and control
  - 4, Hazardous substances
  - 5, Ionizing radiation
  - 6, Electric and magnetic fields
  - 7, Optical radiation
  - 8, Heat and cold
  - 9, Noise
  - 10, Vibration
- ILO, Accident prevention on board ship at sea and in port, 1996
  - 2.3, General duties and responsibilities of shipowners
  - 2.4, General duties and responsibilities of the master
  - 2.5, General duties and responsibilities of seafarers
  - 2.6, General duties and responsibilities of the shipboard safety and health committee
  - 2.7, General duties and responsibilities of the safety officer
  - 2.8, General duties and responsibilities of the safety representative(s)
  - 3, Reporting of accidents
  - 4, Permit-to-work systems
  - 5, General shipboard safety and health considerations
  - 6, Shipboard emergencies and emergency equipment
  - 7, Carriage of dangerous goods
  - 8, Safe access to ship
  - 10, Entering and working in enclosed or confined spaces
  - 16, Working with electricity and electrical equipment
  - 17, Working with dangerous and irritating substances and radiations
  - 21, Working in machinery spaces
  - 24, Specific vessel types

Continued on next page
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection
References, Continued

Reg. 4.3 Health and safety protection and accident prevention (continued)

- International Maritime Dangerous Goods Code, Supplement, 2006
  - Emergency Response Procedures for Ships Carrying Dangerous Goods
  - Medical First Aid Guide for Use in Accidents Involving Dangerous Goods
  - Reporting Procedures, General Principles for Ship Reporting Systems and Ship Reporting Requirements Including Guidelines for Reporting Incidents Involving Dangerous Goods, Harmful Substances and/or Marine Pollutants
  - Recommendations on the Safe Use of Pesticides in Ships
  - IMO Resolution A.852(20), Guidelines for a Structure on an Integrated System of Contingency Planning for Shipboard Emergencies
  - IMO Resolution A.854(20), Guidelines for Developing Shipboard Emergency Plans for Ships Carrying Materials Subject to the INF Code
  - MSC-MEPC.2/Circ.1, Disposal of Fumigant Material
- ILO Protection of worker’s personal data (1997)
- WHO, International Medical Guide for Ships, 1988 Chapter 15, Environmental control on board ship
- International Code of Signals
- International Convention on Maritime Search and Rescue, 1979
TITLE 5: Compliance and Enforcement
REG. 5.1.5 Flag State responsibilities – On-board complaint procedures

Purpose
To ensure that each Member implements its responsibilities under this Convention with respect to ships that fly its flag.

Key Issues
1. Each Member shall require that ships that fly its flag have on-board procedures for the fair, effective and expeditious handling of seafarer complaints alleging breaches of the requirements of this Convention (including seafarers’ rights).
2. Each Member shall prohibit and penalize any kind of victimization of a seafarer for filing a complaint.
3. The provisions in this Regulation and related sections of the Code are without prejudice to a seafarer’s right to seek redress through whatever legal means the seafarer considers appropriate.
TITLE 5: Compliance and Enforcement
STD. 5.1.5.1 Flag State responsibilities – On-board complaint procedures

Mandatory
Without prejudice to any wider scope that may be given in national laws or regulations or collective agreements, the on-board procedures may be used by seafarers to lodge complaints relating to any matter that is alleged to constitute a breach of the requirements of this Convention (including seafarers’ rights).

Methods to Achieve Compliance
The shipowner should establish a means for receiving, recording, and handling complaints. Commitment from top and middle management will provide the framework for complaints to be handled satisfactorily within the shipowner’s organization. Training may be required at all levels so that seafarer complaints are handled promptly and in an efficient manner.

The shipowner must provide seafarers with a means of formally lodging complaints directly to the master of the ship, the shipowner and the flag State.

The shipowner should assign a seafarer on board as the focal point for complaints. This designated seafarer should be able to advise other seafarers on the shipowner’s procedures for complaints. This designated seafarer should attend meetings or hearings on the complaint if requested by the complainant.

Sample Procedures
The company should have a documented procedure for handling seafarer complaints.

Sample Records
- Complaint log
- List of personnel assigned to act as focal points
- Training records
TITLE 5: Compliance and Enforcement
STD. 5.1.5.2 Flag State responsibilities – On-board complaint procedures

Mandatory

Each Member shall ensure that, in its laws or regulations, appropriate on board complaint procedures are in place to meet the requirements of Regulation 5.1.5. Such procedures shall seek to resolve complaints at the lowest level possible. However, in all cases, seafarers shall have a right to complain directly to the master and, where they consider it necessary, to appropriate external authorities.

Methods to Achieve Compliance

The following issues should be incorporated into the complaint process.

- Complaints should be addressed to the seafarer’s head of department or superior officer.
- Shipowner should clearly define the time limits for resolution of complaints. The head of department or superior officer should act expeditiously upon complaints.
- The master should personally handle all complaints that are not satisfactorily resolved to the satisfaction of the complainant by the head of department or superior officer.
- The complainant may be accompanied and represented by another seafarer of choice on board the ship.
- The shipowner should develop a standardized complaint form. The complainant should be provided with a copy of the complaint and any decisions made.
- The complaint process should define the time limit for which complaints are resolved on board. Escalation clauses for assistance from the shipowner’s shore staff should be defined.
- The complainant should be made aware of the right to lodge a complaint directly with the master, the shipowner, and the flag State.

Sample Procedures

The company should have a documented procedure regarding seafarer complaints.

Sample Records

- Complaint log
- Meeting records with names of persons attending
- Complaint records
**TITLE 5: Compliance and Enforcement**

**STD. 5.1.5.3 Flag State responsibilities – On-board complaint procedures**

**Mandatory**

The on-board complaint procedures shall include the right of the seafarer to be accompanied or represented during the complaints procedure, as well as safeguards against the possibility of victimization of seafarers for filing complaints. The term “victimization” covers any adverse action taken by any person with respect to a seafarer for lodging a complaint which is not manifestly vexatious or maliciously made.

**Methods to Achieve Compliance**

The shipowner should address the need for safeguards against victimization of seafarers for filing complaints. High level commitment from top and middle management will be necessary if these events are not to occur. The shipowner should consider defining disciplinary action for these adverse activities.

**Sample Procedures**

The company should have a documented on-board complaint procedure which addresses the seafarer’s rights to contact the shipboard representative, shipowner, and flag State representative. The contact information for these should be provided. The procedure should prohibit any victimization of the seafarers for filing complaints.

**Sample Records**

- Complaint log
- Meeting records with names of persons attending
- Complaint form records
**TITLE 5: Compliance and Enforcement**

**STD. 5.1.5.4 Flag State responsibilities – On-board complaint procedures**

In addition to a copy of their seafarers’ employment agreement, all seafarers shall be provided with a copy of the on-board complaint procedures applicable on the ship. This shall include contact information for the competent authority in the flag State and, where different, in the seafarers’ country of residence, and the name of a person or persons on board the ship who can, on a confidential basis, provide seafarers with impartial advice on their complaint and otherwise assist them in following the complaint procedures available to them on board the ship.

**Methods to Achieve Compliance**

The shipowner should provide manning agencies with copies of the shipowner’s complaint procedure. Copies should also be made available on board ship. Posting the procedure in one or more public places on board is one means of providing this information. If the seafarers have access to the various procedure manuals in the management system, knowledge of this information can be communicated during the ship familiarization process. The posted procedures and those provided to manning agencies shall be maintained current through document control measures. The contact information of relevant parties who can assist the seafarer regarding a complaint should be documented and made available to seafarers.

**Sample Procedures**

The company should have a documented on-board complaint procedure which addresses the seafarer’s rights to contact the shipboard representative, shipowner, and flag State representative. The contact information for these should be provided. The procedure should prohibit any victimization of the seafarers for filing complaints.

**Sample Records**

- Copy of the seafarer’s agreement
- Copy of complaint procedure (this could be posted)
- Familiarization training records
- Contact details of competent authority in the flag State or in the seafarer’s country of residence
TITLE 5: Compliance and Enforcement

References

Reg. 5.1

- ISF, Guidelines on Good Employment Practice, 2001, Section 3.6, Grievance Procedures
- ILO, Ambient Factors in the Workplace, 2001
- 2.5, Rights of workers
- 2.6, Cooperation
SECTION 4 Additional Guidance to Regulation 3.1: Accommodation and Recreational Facilities

1 Accommodation and Recreational Facilities

One unique aspect of the maritime industry is that workers are in most instances required to live at their workplaces (i.e., on-board the vessel). While this aspect is shared with some other industries such as offshore oil and gas, the conditions that the mariner may be subjected to are unique and may even be considered harsh in some situations.

In addition to crew members being required to live away from home for extended periods, the crew may also be subjected to vessel motions such as pitching, rolling and slamming as well as unfavorable ambient environmental conditions involving whole-body vibration, noise, lighting, and extreme temperatures. Each of these aspects can take a toll on the daily fitness and performance of the crew and ultimately adversely impact human performance by increasing physical and mental fatigue. As the quality of accommodations design and the level of ambient environmental factors crew members are exposed to significantly influence their job performance (physical and mental readiness), crew members should be provided with well-designed accommodations spaces, workspaces, and comfortable ambient environment within those spaces.

Accommodations spaces typically include areas where crew members rest, recreate, relax, dine, and sometimes work. Ambient environmental factors include whole-body vibration, noise, lighting, and indoor climate aspects of crew member accommodations spaces.

1.1 Labor Management System versus Engineering Design Requirements

The Maritime Labour Convention, 2006 is, in essence, a “labor management system”, as the Convention requires that the shipowner provide seafarers with decent working and living conditions. Whereas most of the Regulations under the Convention can be complied with via processes, practices and procedures, Regulation 3.1 “Accommodation and Recreational Facilities”, necessitates a combination of management systems and engineered provisions. Guidance on how to comply with the Convention via processes and procedures has been given in Section 3 of these Guidance Notes. This section provides guidance on how to comply with the engineering and design requirements for the accommodation and recreational facilities and therefore, complementary guidance given in Section 3 of these Guidance Notes.
1.2 Engineering Design Requirements for Accommodations and Recreational Facilities

This Section contains checksheets related to the Part A requirements contained in Title 3, “Accommodation, recreational facilities, food and catering” along with some of the design related aspects of Title 4, “Health protection, medical care, welfare and social security protection”. The requirements are broken down into ten different categories. These include:

- General
- Berthing
- Vibration/Noise
- Food Service Areas (Mess)
- Sanitary Spaces
- Lighting
- Ventilation/Heating
- Recreation Areas
- Laundry
- Medical

The General Checksheet (Section 4, Table 1) includes Title 3 requirements which appear multiple times. The other checksheets (Section 4, Tables 2 through 10) contain the Convention requirements related to that specific aspect of the accommodations or ambient environmental design.

In the checksheets, the Part A Standard requirement is immediately followed by related Part B guidance, if such guidance exists. Also provided where appropriate is guidance from ABS. The ABS guidance was obtained from three different ABS publications:

- ABS Guide for Crew Habitability on Ships
- ABS Guide for Crew Habitability on Workboats
- ABS Guidance Notes for the Application of Ergonomics to Marine Systems

The Part B guidance is provided within the Convention to help fulfill the Part A requirement. The ABS guidance has been provided to supplement the Part B guidance or to provide information where no Part B guidance is provided. The guidance provided by ABS is based on ABS’ interpretation of the intent of the Part A requirements.

The Checksheets included in this chapter can be used as a tool to track the compliance with the Convention requirements. A check box is provided next to the mandatory requirements (Part A).

Guidance on the assessment criteria and measurement methodology for obtaining the optional ABS Maritime Labour Convention (MLC) Accommodation (ACCOM) notation (MLC-ACCOM) is provided in the ABS Guide for Compliance with the ILO Maritime Labour Convention, 2006 Title 3 Requirements.
### TABLE 1
General Items Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
<th>✓</th>
</tr>
</thead>
</table>
| A3.1.6.a  | There shall be adequate headroom in all seafarer accommodation; the minimum permitted headroom in all seafarer accommodation where full and free movement is necessary shall be not less than 203 centimetres (80 inches); the competent authority may permit some limited reduction in headroom in any space, or part of any space, in such accommodation where it is satisfied that such reduction:  
• is reasonable; and  
• will not result in discomfort to the seafarers. | ✓ |

ABS Guidance (ref. 2)

- If the competent authority in the flag State permits a deviation from this requirement, then the following anthropometric data on stature (dimension from the deck to top of a person’s head, Table 1.1) and clothing dimensions should be considered. Anthropometric data is information relating to physical body dimensions, such as stature, a person’s height. The data represents the male 95th percentile (value for taller portion of the population) stature for several different regions in the world. The effects of foot wear (add 25 millimeters) needs to be added to the above dimensions. In areas of crew accommodations where a hard hat may be worn, add an additional 75 millimeters to the stature.
- All instances where the minimum headroom height is not achieved should be consistently and adequately marked according to owner’s requirements.

#### Table 1.1 Stature Height

<table>
<thead>
<tr>
<th>Region</th>
<th>Stature (in millimeters) (floor to top of head)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North America (US)</td>
<td>1876</td>
</tr>
<tr>
<td>Japan</td>
<td>1781</td>
</tr>
<tr>
<td>Southeast Asia†</td>
<td>1720</td>
</tr>
<tr>
<td>Europe*</td>
<td>1847</td>
</tr>
</tbody>
</table>

† = Represented by Brunei, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand, and Viet Nam.
* = Represented by data from Sweden, Germany, Italy, and France.

<table>
<thead>
<tr>
<th>A3.1.6.e</th>
<th>There shall be no direct openings into sleeping rooms from cargo and machinery spaces or from galleys, storerooms, drying rooms or communal sanitary areas.</th>
<th>✓</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.6.e</td>
<td>That part of a bulkhead separating such places from sleeping rooms and external bulkheads shall be efficiently constructed of steel or other approved substance and be watertight and gas-tight.</td>
<td>✓</td>
</tr>
</tbody>
</table>
### TABLE 1 (continued)
**General Items Checksheets**

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.6 f</td>
<td><em>The materials used to construct internal bulkheads, paneling and sheeting, floors and joining shall be suitable for the purpose and conducive to ensuring a healthy environment.</em></td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

- **B3.1.1.3** The bulkhead surfaces and deck heads should be of material with a surface easily kept clean. No form of construction likely to harbor vermin should be used.
- **B3.1.1.4** The bulkhead surfaces and deck heads in sleeping rooms and mess rooms should be capable of being easily kept clean and light in color with a durable, nontoxic finish.
- **B3.1.1.5** The decks in all seafarer accommodation should be of approved material and construction and should provide a non-slip surface impervious to damp and easily kept clean.
- **B3.1.1.6** Where the floorings are made of composite materials, the joints with the sides should be profiled to avoid crevices.

**ABS Guidance** (ref. 1)

- Wall surfaces and decks in sleeping rooms should be washable and impervious to damp or moisture absorption.
- Internal bulkheads should be of approved material that is not likely to harbor vermin.
- Wall surfaces should not be constructed from tongued or grooved boarding or other form of construction likely to harbor vermin.
- Deck coverings (e.g., mats, carpeting, etc.) should be supplied where slipping is possible due to occasional water, oil or liquid on the floors.
- Outside corners of bulkheads, doors, etc., should have a radius of 0.75 millimeters (0.03 inches) or more.
- All edges that personnel may strike should be rounded to a radius of 0.75 millimeters (0.03 inches) or more.
TABLE 1 (continued)
General Items Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.6.g</td>
<td>Proper lighting and sufficient drainage shall be provided.</td>
</tr>
</tbody>
</table>

ABS Guidance on Lighting (ref. 1)

Table 1.2 Lighting Guidance for Crew Accommodation Areas (values in Lux)

<table>
<thead>
<tr>
<th>Entrances and Passageways</th>
<th>General Lighting</th>
<th>Bath/Shower (General Lighting)</th>
<th>110</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interior Walkways, Passageways, Stairways and Access Ways</td>
<td>110</td>
<td>Exterior Walkways, Passageways, Stairways and Access Ways (night)</td>
<td>110</td>
</tr>
<tr>
<td>Cabins, Staterooms, Berthing and Sanitary Spaces</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Lighting</td>
<td>150</td>
<td>Bath/Shower (General Lighting)</td>
<td>325</td>
</tr>
<tr>
<td>Reading and Writing (Desk or Bunk Light)</td>
<td>540</td>
<td>All other Areas within Sanitary Space (e.g., Toilets, Change Room)</td>
<td>150</td>
</tr>
<tr>
<td>Mirrors (Personal Grooming)</td>
<td>540</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dining Spaces</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mess Room and Cafeteria</td>
<td>300</td>
<td>Snack and Coffee Bar</td>
<td>500</td>
</tr>
<tr>
<td>Vending Machine Area</td>
<td>75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation Spaces</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lounges</td>
<td>300</td>
<td>Gymnasiums</td>
<td>300</td>
</tr>
<tr>
<td>Library</td>
<td>540</td>
<td>Bulletin Boards/Display Areas</td>
<td>150</td>
</tr>
<tr>
<td>Multimedia Resource Center</td>
<td>300</td>
<td>All other Recreation Spaces (e.g., Game Rooms)</td>
<td>300</td>
</tr>
<tr>
<td>TV Room</td>
<td>150</td>
<td>Training/Transit Room</td>
<td>540</td>
</tr>
<tr>
<td>Medical, Dental and First Aid Center</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dispensary</td>
<td>540</td>
<td>Wards</td>
<td>100</td>
</tr>
<tr>
<td>Medical and Dental Treatment/Examination Room</td>
<td>810</td>
<td>- General Lighting</td>
<td>810</td>
</tr>
<tr>
<td>Medical Waiting Areas</td>
<td>540</td>
<td>- Critical Examination</td>
<td>540</td>
</tr>
<tr>
<td>Laboratories</td>
<td>810</td>
<td>- Reading</td>
<td>150</td>
</tr>
<tr>
<td>All other Medical and Dental Spaces</td>
<td>325</td>
<td>- Toilets</td>
<td></td>
</tr>
</tbody>
</table>

ABS Guidance on Drainage (ref. 1)

- Deck drains should be considered in all food service areas subject to flood type cleaning or where normal operations release or discharge water or other liquid onto the deck.
- Deck drains for food service areas should be provided in number and location so that complete drainage is possible under normal conditions of list and trim.
- There should be no deck drains inside provision rooms except the thaw room.
- Deck drains should be provided in the laundry.
TABLE 1 (continued)
General Items Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.7.b</td>
<td>Ships, except those regularly engaged in trade where temperate climatic conditions do not require this, shall be equipped with air conditioning for seafarer accommodation, for any separate radio room and for any centralized machinery control room.</td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

- Air-conditioning systems, whether of a centralized or individual unit type, should be designed to maintain the air at a satisfactory temperature and relative humidity as compared to outside air conditions, ensure a sufficiency of air changes in all air-conditioned spaces, take account of the particular characteristics of operations at sea and not produce excessive noise or vibrations.

B3.1.2.3 Power for the operation of the air conditioning and other aids to ventilation required by the preceding paragraphs of this Guideline should be available at all times when seafarers are living or working on board and conditions so require. However, this power need not be provided from an emergency source.

**ABS Guidance (ref. 1 and 3)**

- Crew accommodations should be designed to be able to provide the indoor climate guidance presented in Table 1.3, Indoor Climate Guidance for Crew Accommodation Areas.

**Table 1.3 Indoor Climate Guidance for Crew Accommodation Areas**

<table>
<thead>
<tr>
<th>Item</th>
<th>Criterion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Temperature</td>
<td>Non-adjustable air temperature between Winter or Summer: 22 to 25°C (71.5 to 77°F)</td>
</tr>
<tr>
<td>Relative Humidity</td>
<td>A range from 30% minimum to 70% maximum</td>
</tr>
<tr>
<td>Air Exchange Rate</td>
<td>The rate of air change for enclosed spaces should be at least six (6) complete changes-per-hour.</td>
</tr>
</tbody>
</table>
### TABLE 1 (continued)
**General Items Checksheet**

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.7.d</td>
<td><em>Adequate heat through an appropriate heating system shall be provided, except in ships exclusively on voyages in tropical climates.</em></td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

- **B3.1.3.1**
  System of heating the seafarer accommodation should be in operation at all times when seafarers are living or working on board and conditions require its use.

- **B3.1.3.2**
  In all ships in which a heating system is required, the heating should be by means of hot water, warm air, electricity, steam or equivalent. However, within the accommodation area, steam should not be used as a medium for heat transmission. The heating system should be capable of maintaining the temperature in seafarer accommodation at a satisfactory level under normal conditions of weather and climate likely to be met within the trade in which the ship is engaged. The competent authority should prescribe the standard to be provided.

**ABS Guidance (ref. 1)**

Crew accommodations should be designed to be able to provide the indoor climate guidance presented in Table 1.3, Indoor Climate Guidance for Crew Accommodation Areas.

| A3.1.15 | *All ships shall be provided with separate offices or a common ship’s office for use by deck and engine departments; ships of less than 3,000 gross tonnage may be exempted by the competent authority from this requirement after consultation with the shipowners’ and seafarers’ organizations concerned.* |

**ABS Guidance (ref. 1)**

Ships regularly trading to mosquito-infested ports shall be fitted with appropriate devices as required by the competent authority.

**ABS Guidance (ref. 1)**

Suitable screens should be considered for side scuttles, ventilators and doors to the open deck.
### TABLE 2
Berthing Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.6.b</td>
<td><em>With respect to general requirements for accommodation: the accommodation shall be adequately insulated.</em></td>
</tr>
<tr>
<td>B3.1.1.1</td>
<td><em>External bulkheads of sleeping rooms and mess rooms should be adequately insulated. All machinery casings and all boundary bulkheads of galleys and other spaces in which heat is produced should be adequately insulated where there is a possibility of resulting heat effects in adjoining accommodation or passageways. Measures should also be taken to provide protection from heat effects of steam or hot-water service pipes or both.</em></td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

- Crew accommodations should be designed to be able to provide the indoor climate guidance presented in Table 1.3, Indoor Climate Guidance for Crew Accommodation Areas.
- Radiators, and other heating apparatus, which may cause a risk of a fire, danger, or discomfort to crew members, are shielded.

**ABS Guidance (ref. 1 and 2)**

- Crew accommodations should be designed to be able to provide the indoor climate guidance presented in Table 1.3, Indoor Climate Guidance for Crew Accommodation Areas.
- Radiators, and other heating apparatus, which may cause a risk of a fire, danger, or discomfort to crew members, are shielded.

| A3.1.6.c | *In ships other than passenger ships, as defined in Regulation 2(e) and (f) of the International Convention for the Safety of Life at Sea, 1974, as amended (the “SOLAS Convention”), sleeping rooms shall be situated above the load line amidships or aft, except that in exceptional cases, where the size, type or intended service of the ship renders any other location impracticable, sleeping rooms may be located in the fore part of the ship, but in no case forward of the collision bulkhead.* |

### TABLE 2 (continued)
**Berthing Requirements Checksheet**

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.6.d</td>
<td>In passenger ships, and in special ships constructed in compliance with the IMO Code of Safety for Special Purpose Ships, 1983, and subsequent versions (hereinafter called “special purpose ships”), the competent authority may, on condition that satisfactory arrangements are made for lighting and ventilation, permit the location of sleeping rooms below the load line, but in no case shall they be located immediately beneath working alleyways.</td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

B3.1.12.1 Accommodation and recreational and catering facilities should be located as far as practicable from the engines, steering gear rooms, deck winches, ventilation, heating and air-conditioning equipment and other noisy machinery and apparatus.

B3.1.2.1 The system of ventilation for sleeping rooms and mess rooms should be controlled so as to maintain the air in a satisfactory condition and to ensure a sufficiency of air movement in all conditions of weather and climate.

**ABS Guidance (ref. 1 and 2)**

- Crew accommodations should be designed to be able to provide the indoor climate guidance presented in Table 1.3, Indoor Climate Guidance for Crew Accommodation Areas.
- Crew accommodations should be designed to be able to provide the lighting guidance presented in Table 1.2, Lighting Guidance for Crew Accommodation Areas.
- There should be no direct communication into sleeping areas from cargo areas, machinery spaces, chain lockers, galleys, and paint rooms or from engine, deck and other bulk storerooms, drying rooms, communal wash places or water closets.

A3.1.9.a In ships other than passenger ships, an individual sleeping room shall be provided for each seafarer; in the case of ships of less than 3,000 gross tonnage or special purpose ships, exemptions from this requirement may be granted by the competent authority after consultation with the shipowners’ and seafarers’ organizations concerned.

**MLC 2006 Part B Guidance**

B3.1.5.1 There should be adequate berth arrangements on board, making it as comfortable as possible for the seafarer and any partner who may accompany the seafarer.
TABLE 2 (continued)
Berthing Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.9.b</td>
<td>Separate sleeping rooms shall be provided for men and for women.</td>
</tr>
<tr>
<td>B3.1.5.3</td>
<td>MLC 2006 Part B Guidance&lt;br&gt;As far as practicable, sleeping rooms of seafarers should be so arranged that watches are separated and that no seafarers working during the day share a room with watch keepers.</td>
</tr>
<tr>
<td>A3.1.9.c</td>
<td>Sleeping rooms shall be of adequate size and properly equipped so as to ensure reasonable comfort and to facilitate tidiness.</td>
</tr>
<tr>
<td>B3.1.5.6</td>
<td>MLC 2006 Part B Guidance&lt;br&gt;Space occupied by berths and lockers, chests of drawers and seats should be included in the measurement of the floor area. Small or irregularly shaped spaces which do not add effectively to the space available for free movement and cannot be used for installing furniture should be excluded.</td>
</tr>
</tbody>
</table>

**ABS Guidance (ref. 1)**

- Room size is covered in requirements A3.1.9 f, g, and h.
- Outfitting for sleeping rooms should, in addition to berths and lockers, contain the following:
  - a table or
  - a table and chair
  - a mirror with a light
  - a small cabinet for toilet requisites for each person in the room
  - a book rack
  - coat hooks.
- An electric reading light at the head of each berth.

<table>
<thead>
<tr>
<th>A3.1.9. (d, e)</th>
<th>A separate berth for each seafarer shall in all circumstances be provided; the minimum inside dimensions of a berth shall be at least 198 centimetres by 80 centimetres.</th>
</tr>
</thead>
</table>

**ABS Guidance (ref. 1)**

- The berth should be at least 300 millimeters above the deck.
- Head clearance above each berth should be at least 610 millimeters.
- The framework and lee-board of a berth should be of approved material, hard, smooth and not likely to corrode or to harbor vermin.
- Berths constructed from tubular frames should be completely sealed and without perforations which would give access to vermin.
## TABLE 2 (continued)
### Berthing Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.9.f</td>
<td>In single berth seafarers’ sleeping rooms the floor area shall not be less than:</td>
</tr>
<tr>
<td></td>
<td>• 4.5 square metres in ships of less than 3,000 gross tonnage;</td>
</tr>
<tr>
<td></td>
<td>• 5.5 square metres in ships of 3,000 gross tonnage or over but less than 10,000 gross tonnage;</td>
</tr>
<tr>
<td></td>
<td>• 7 square metres in ships of 10,000 gross tonnage or over.</td>
</tr>
<tr>
<td>A3.1.9.g</td>
<td>However, in order to provide single berth sleeping rooms on ships of less than 3,000 gross tonnage, passenger ships and special purpose ships, the competent authority may allow a reduced floor area.</td>
</tr>
</tbody>
</table>

**ABS Guidance (ref. 1)**

Floor area in single berth sleeping rooms should be at least 4.0 m²

| A3.1.9.h | In ships of less than 3,000 gross tonnage other than passenger ships and special purpose ships, sleeping rooms may be occupied by a maximum of two seafarers; the floor area of such sleeping rooms shall not be less than 7 square metres. |
| A3.1.9.i | On passenger ships and special purpose ships the floor area of sleeping rooms for seafarers not performing the duties of ships’ officers shall not be less than: |
|        | • 7.5 square metres (80.73 square feet) in rooms accommodating two persons; |
|        | • 11.5 square metres(123.78 square feet) in rooms accommodating three persons; |
|        | • 14.5 square metres (156.08 square feet) in rooms accommodating four persons; |
| A3.1.9.j | On special purpose ships sleeping rooms may accommodate more than four persons; the floor area of such sleeping rooms shall not be less than 3.6 square metres (38.75 square feet) per person. |
| A3.1.9.k | On ships other than passenger ships and special purpose ships, sleeping rooms for seafarers who perform the duties of ships’ officers, where no private sitting room or day room is provided, the floor area per person shall not be less than: |
|        | • 7.5 square metres (80.73 square feet) in ships of less than 3,000 gross tonnage; |
|        | • 8.5 square metres (91.49 square feet) in ships of 3,000 gross tonnage or over but less than 10,000 gross tonnage; |
|        | • 10 square metres (107.64 square feet) in ships of 10,000 gross tonnage or over. |
| A3.1.9.l | On passenger ships and special purpose ships the floor area for seafarers performing the duties of ships’ officers where no private sitting room or day room is provided, the floor area per person for junior officers shall not be less than: |
|        | • 7.5 square metres (80.73 square feet) and for senior officers; |
|        | not less than 8.5 square metres (91.49 square feet); |
|        | junior officers are understood to be at the operational level, and senior officers at the management level. |
### TABLE 2 (continued)
Berthing Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.9.m</td>
<td>The master, the chief engineer and the chief navigating officer shall have, in addition to their sleeping rooms, an adjoining sitting room, day room or equivalent additional space; ships of less than 3,000 gross tonnage may be exempted by the competent authority from this requirement after consultation with the shipowners’ and seafarers’ organizations concerned.</td>
<td></td>
</tr>
<tr>
<td>B3.1.5.5</td>
<td>Consideration should be given to extending the facility referred to in Standard A3.1, paragraph 9(m), to the second engineer officer when practicable.</td>
<td></td>
</tr>
<tr>
<td>A3.1.9.n</td>
<td>For each occupant, the furniture shall include a clothes locker of ample space, minimum 475 litres or 0.475 cubic metres (16.77 cubic feet), and a drawer or equivalent space of not less than 56 litres; if the drawer is incorporated in the clothes locker then the combined minimum volume of the clothes locker shall be 500 litres; it shall be fitted with a shelf and be able to be locked by the occupant so as to ensure privacy.</td>
<td></td>
</tr>
<tr>
<td>ABS Guidance (ref. 1)</td>
<td>Sleeping rooms should provide:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• drawer and door arrangements that prevent inadvertent opening and closing due to ship movement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• kick space 100 millimeters (4 inches) high by 100 millimeters (4 inches) deep is provided around clothes lockers, berths, etc.</td>
<td></td>
</tr>
<tr>
<td>A3.1.9.o</td>
<td>Each sleeping room shall be provided with a table or desk, which may be of the fixed, drop-leaf or slide-out type, and with comfortable seating accommodation as necessary.</td>
<td></td>
</tr>
</tbody>
</table>
## TABLE 3
Vibration/Noise Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.6.h</td>
<td><em>Accommodation and recreational and catering facilities shall meet the requirements in Regulation 4.3, and the related provisions in the Code, on health and safety protection and accident prevention, with respect to preventing the risk of exposure to hazardous levels of noise and vibration and other ambient factors and chemicals on board ships, and to provide an acceptable occupational and on-board living environment for seafarers.</em></td>
</tr>
</tbody>
</table>

### MLC 2006 Part B Guidance (vibration)

B3.1.12.5

No accommodation or recreational or catering facilities should be exposed to excessive vibration.

B4.3.3.2

The review referred to in paragraph 1 of this Guideline (See B4.3.3.1 below) should cover the effect of exposure to excessive vibration on the health and comfort of seafarers and the measures to be prescribed or recommended to reduce shipboard vibration to protect seafarers. The measures to be considered should include the following:

(a) instruction of seafarers in the dangers to their health of prolonged exposure to vibration;

(b) provision of approved personal protective equipment to seafarers where necessary; and

(c) assessment of risks and reduction of exposure to vibration in all accommodation and recreational and catering facilities by adopting measures in accordance with the guidance provided by the ILO code of practice entitled *Ambient Factors in the Workplace*, 2001, and any subsequent revisions, taking account of the difference between exposure in those areas and in the workplace.

B4.3.3.1

The competent authority, in conjunction with the competent international bodies and with representatives of shipowners’ and seafarers’ organizations concerned, and taking into account, as appropriate, relevant international standards, should review on an ongoing basis the problem of vibration on board ships with the objective of improving the protection of seafarers, in so far as practicable, from the adverse effects of vibration.

### ABS Guidance (vibration) (ref. 6)

The maximum vibration levels in Table 3.1, “Whole-body Vibration Limits Guidance”, should not be exceeded under normal operating conditions. Guidance on the measurement and evaluation of whole-body vibration levels can be found in the ABS *Guide for Compliance with the ILO Maritime Labour Convention, 2006 Title 3 Requirements*, Section 3, “Whole-body Vibration”.

### Table 3.1 Whole-body Vibration Limit Guidance (15 October 2010)

<table>
<thead>
<tr>
<th>Frequency Range</th>
<th>Maximum RMS Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transit Conditions</td>
<td>Thruster Conditions</td>
</tr>
<tr>
<td>1.0 - 80 Hz</td>
<td>214 mm/s² (6 mm/s)</td>
</tr>
</tbody>
</table>
TABLE 3 (continued)
Vibration/Noise Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>B3.1.12.4</td>
<td><strong>MLC 2006 Part B Guidance (noise)</strong></td>
</tr>
<tr>
<td></td>
<td>The limits for noise levels for working and living spaces should be in conformity with the ILO international guidelines on exposure levels, including those in the ILO Code of Practice entitled <em>Ambient Factors in the Workplace, 2001</em>, and, where applicable, the specific protection recommended by the International Maritime Organization, and with any subsequent amending and supplementary instruments for acceptable noise levels on board ships. A copy of the applicable instruments in English or the working language of the ship should be carried on board and should be accessible to seafarers.</td>
</tr>
</tbody>
</table>

**IMO Guidance (noise) (ref. 4)**

**Table 3.2 Noise Limit Guidance**

<table>
<thead>
<tr>
<th>Space</th>
<th>Noise Limit dB(A) Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation space</td>
<td></td>
</tr>
<tr>
<td>Cabins and hospitals</td>
<td>60</td>
</tr>
<tr>
<td>Mess rooms</td>
<td>65</td>
</tr>
<tr>
<td>Recreation room</td>
<td>65</td>
</tr>
<tr>
<td>Open recreation areas</td>
<td>75</td>
</tr>
<tr>
<td>Offices</td>
<td>65</td>
</tr>
<tr>
<td>Service spaces</td>
<td></td>
</tr>
<tr>
<td>Galleys, without food processing equipment operating</td>
<td>75</td>
</tr>
<tr>
<td>Serveries and pantries</td>
<td>75</td>
</tr>
</tbody>
</table>

Personnel entering spaces with noise levels greater than 85 dB(A) should wear hearing protection.
### TABLE 4
Food Service Areas (Mess) Requirements Checksheets

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.10.1a</td>
<td>Mess rooms shall be located apart from the sleeping rooms and as close as practicable to the galley; ships of less than 3,000 gross tonnage may be exempted by the competent authority from this requirement after consultation with the shipowners’ and seafarers’ organizations concerned.</td>
</tr>
</tbody>
</table>

**ABS Guidance** (ref. 1)

- Food service areas should be on or above the strength deck or damage control deck.
- Mess lines and mess rooms are protected from weather, objectionable sights (such as garbage disposal areas) and objectionable odors (such as from engines, holds, toilets, fire room, etc.).
### TABLE 4 (continued)
Food Service Areas (Mess) Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.10.b</td>
<td>Mess rooms shall be of adequate size and comfort and properly furnished and equipped (including ongoing facilities for refreshment), taking account of the number of seafarers likely to use them at any one time; provision shall be made for separate or common mess room facilities as appropriate.</td>
</tr>
<tr>
<td>B3.1.6.1</td>
<td>MLC 2006 Part B Guidance&lt;br&gt;Mess room facilities may be either common or separate. The decision in this respect should be taken after consultation with seafarers’ and shipowners’ representatives and subject to the approval of the competent authority. Account should be taken of factors such as the size of the ship and the distinctive cultural, religious and social needs of the seafarers.</td>
</tr>
<tr>
<td>B3.1.6.3</td>
<td>On ships other than passenger ships, the floor area of mess rooms for seafarers should be not less than 1.5 square metres per person of the planned seating capacity.</td>
</tr>
<tr>
<td>B3.1.6.5</td>
<td>There should be available at all times when seafarers are on board:&lt;br&gt;(a) a refrigerator, which should be conveniently situated and of sufficient capacity for the number of persons using the mess room or mess rooms;&lt;br&gt;(b) facilities for hot beverages; and&lt;br&gt;(c) cool water facilities.</td>
</tr>
<tr>
<td>B3.1.6.6</td>
<td>Where available pantries are not accessible to mess rooms, adequate lockers for mess utensils and proper facilities for washing utensils should be provided.</td>
</tr>
</tbody>
</table>

**ABS Guidance** (ref. 1)

- Mess rooms have tables and seats sufficient for the number of persons likely to use them at any one time.<br>- The tops of tables and seating are capable of being easily cleaned.<br>- Table space for each diner should be at least 600 millimeters (24 inches) wide by 380 millimeters (15 inches) deep.<br>- Dining tables should be between 700 millimeters (28 inches) and 760 millimeters (30 inches) high with at least 180 millimeters (7 inches) clearance between the top of the seat and the bottom of the table structure.<br>- The width of serving aisles, measured from service counter or outside edge of tray rail if present, should be at least 900 millimeters (36 inches).<br>- Distance between tables with back to back seating should be at least 1200 millimeters (47 inches).<br>- Distance between the seating side of a table and the nearest obstruction should be at least 750 millimeters (30 inches).<br>- Table depth for facing diners should be at least 750 millimeters (30 inches).<br>- Adequate lockers for mess utensils are provided.
## TABLE 5
Sanitary Spaces Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.7 (c)</td>
<td><em>All sanitary spaces shall have ventilation to the open air, independently of any other part of the accommodation.</em></td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

B3.1.7.3(c) Sanitary accommodation intended for the use of more than one person should comply with the following: the accommodation should be sufficiently lit, heated and ventilated.

**ABS Guidance (ref. 1 and 2)**

- Crew accommodations should be designed to be able to provide the indoor climate guidance presented in Table 1.3, Indoor Climate Guidance for Crew Accommodation Areas.
- Crew accommodations should be designed to be able to provide the lighting guidance presented in Table 1.2, Lighting Guidance for Crew Accommodations Areas.
- All toilet spaces should be ventilated sufficiently to be reasonably free of disagreeable odors and condensation.

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.11.a</td>
<td><em>All seafarers shall have convenient access on the ship to sanitary facilities meeting minimum standards of health and hygiene and reasonable standards of comfort, with separate sanitary facilities being provided for men and for women.</em></td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

B3.1.7.3(d) Toilets should be situated convenient to, but separate from, sleeping rooms and wash rooms, without direct access from the sleeping rooms or from a passage between sleeping rooms and toilets to which there is no other access; this requirement does not apply where a toilet is located in a compartment between two sleeping rooms having a total of not more than four seafarers; and where there is more than one toilet in a compartment, they should be sufficiently screened to ensure privacy.
### TABLE 5 (continued)
Sanitary Spaces Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Continued from previous page</strong></td>
</tr>
</tbody>
</table>

**ABS Guidance** (ref. 1)

- Sanitary spaces should be gender identifiable without entering the space.
- Free space area per person in sanitary spaces should be at least 0.75 square meters (8 square feet).
- All toilets should have flush water available at all times and have a hand washing station.
- Water heaters supplying showers should not support areas that have higher water temperature requirements, such as food service areas, and should be provided with anti-scalding devices.
- Clearance should be provided around and behind sanitary fixtures to easily adjust, service, or repair them to reach important plumbing connections and pipes to facilitate cleaning.

Floors in sanitary spaces should have:
- non-slip type deck covering.
- be easily cleaned.
- be impervious to damp or moisture absorption.
- be properly drained.

Bulkheads in sanitary spaces should be:
- steel or other approved material.
- watertight up to 230 millimeters (9 inches) above deck level.
- easily cleaned and impervious to damp or moisture absorption.
- provide clearance around and behind sanitary fixtures to facilitate cleaning.

If toilet stalls are provided then:
- Toilet stalls should be self-closing and lockable from the inside.
- The width of the toilet stall should be at least 800 millimeters (32 inches).
- The clearance between the front of the toilet and the stall door should be at least 900 millimeters (36 inches).
- Toilet enclosures begin no more than 300 millimeters (12 inches) above the floor.

If urinals are provided, then:
- They should have privacy partitions between units and at the end of rows if not provided by permanent structures.
- The dimension between the centerline of two urinals side-by-side should be at least 700 millimeters (27 inches).
- The dimension between the centerline of a urinal and a bulkhead next to the urinal should be at least 375 millimeters (15 inches).
- The height of the front edge of a urinal should be between 450 millimeters (18 inches) and 600 millimeters (24 inches) above the deck surface.
- Partitions between urinals should start 525 millimeters (21 inches) or less above and run to 1450 millimeters (57 inches) or more above the deck.
- Partitions between urinals mounted against the bulkhead should protrude at least 450 millimeters (18 inches) toward the user.
# Mandatory Requirements (Part A) and Guidance

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A3.1.11.b</strong></td>
<td>There shall be sanitary facilities within easy access of the navigating bridge and the machinery space or near the engine room control centre; ships of less than 3,000 gross tonnage may be exempted by the competent authority from this requirement after consultation with the shipowners’ and seafarers’ organizations concerned.</td>
</tr>
<tr>
<td><strong>ABS Guidance (ref. 2)</strong></td>
<td>The sanitary facility should contain a toilet and washbasin having hot and cold running potable water.</td>
</tr>
<tr>
<td><strong>A3.1.11.c</strong></td>
<td>In all ships a minimum of one toilet, one wash basin and one tub or shower or both for every six persons or less who do not have personal facilities shall be provided at a convenient location.</td>
</tr>
</tbody>
</table>
| **ABS Guidance (ref. 1)** | The following minimum number of separate toilets should be provided:  
• Three (3) in ships under 800 tons  
• Four (4) in ships 800 tons or over but under 3,000 tons  
• Six (6) in ships 3,000 tons or over  
• Washbasins and urinals, if equipped, are located so that, when in use, crew members face forward or aft |
| **A3.1.11.d** | With the exception of passenger ships, each sleeping room shall be provided with a washbasin having hot and cold running fresh water, except where such a washbasin is situated in the private bathroom provided. |
| **ABS Guidance (ref. 1)** | Washbasins should be:  
• large enough so that users can get their hands and face inside it without bumping their heads on the faucet or having water run down their arms  
• constructed of approved material  
• smooth surfaced  
• not liable to crack, flake or corrode. |
| **A3.1.11.f** | Hot and cold running fresh water shall be available in all wash places. |
| **ABS Guidance** | Water heaters supplying washbasins and showers should not support areas that have higher water temperature requirements, such as food service areas. If they do, then anti-scalding devices should be provided. |
### TABLE 6
Lighting Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.8</td>
<td>With respect to requirements for lighting, subject to such special arrangements as may be permitted in passenger ships, sleeping rooms and mess rooms shall be lit by natural light and provided with adequate artificial light.</td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

- In all ships, electric light should be provided in the seafarer accommodation. If there are not two independent sources of electricity for lighting, additional lighting should be provided by properly constructed lamps or lighting apparatus for emergency use.
- Suitable standards of natural and artificial lighting should be fixed by the competent authority.

**ABS Guidance**

- Crew accommodations should be designed to be able to provide the lighting guidance presented in Table 1.2, Lighting Guidance for Crew Accommodations Areas
- Natural lighting can be provided via port holes or windows.
### TABLE 7
Ventilation/Heating Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
</table>
| A3.1.7 (a) | With respect to requirements for ventilation and heating:  
(a) sleeping rooms and mess rooms shall be adequately ventilated. |

**MLC 2006 Part B Guidance**

B3.1.2.1 The system of ventilation for sleeping rooms and mess rooms should be controlled so as to maintain the air in a satisfactory condition and to ensure a sufficiency of air movement in all conditions of weather and climate.

B3.1.3.1 The system of heating the seafarer accommodation should be in operation at all times when seafarers are living or working on board and conditions require its use.

B3.1.3.2 In all ships in which a heating system is required, the heating should be by means of hot water, warm air, electricity, steam or equivalent. However, within the accommodation area, steam should not be used as a medium for heat transmission. The heating system should be capable of maintaining the temperature in seafarer accommodation at a satisfactory level under normal conditions of weather and climate likely to be met within the trade in which the ship is engaged. The competent authority should prescribe the standard to be provided.

**ILO Criteria** (ref. 5)

Where the assessment shows that health or discomfort conditions arise from increased air temperature, the employer should implement means to reduce air temperature, such as a ventilation system. The design should take into account seasonal and sudden temperature changes in make-up air brought from outside. If the air temperature is below about 36°C, increasing air movement (for example by fans) will cool the workers; above that temperature it will heat them further.

**ABS Guidance**

Crew accommodations should be designed to be able to provide the indoor climate guidance presented in Table 1.3, Indoor Climate Guidance for Crew Accommodation Areas.

A3.1.7 d Adequate heat through an appropriate heating system shall be provided, except in ships exclusively on voyages in tropical climates.

**Part B Guidance**

B3.1.3.3 Radiators and other heating apparatus should be placed and, where necessary, shielded so as to avoid risk of fire or danger or discomfort to the occupants.
### TABLE 8
Recreation Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.17</td>
<td>Appropriate seafarers’ recreational facilities, amenities and services, as adapted to meet the special needs of seafarers who must live and work on ships, shall be provided on board for the benefit of all seafarers, taking into account Regulation 4.3 and the associated Code provisions on health and safety protection and accident prevention.</td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

- Furnishings for recreational facilities should as a minimum include a bookcase and facilities for reading, writing and, where practicable, games.

- Consideration should also be given to including the following facilities at no cost to the seafarer, where practicable:
  - a smoking room;
  - television viewing and the reception of radio broadcasts;
  - showing of films, the stock of which should be adequate for the duration of the voyage and, where necessary, changed at reasonable intervals;
  - sports equipment including exercise equipment, table games and deck games;
  - where possible, facilities for swimming;
  - a library containing vocational and other books, the stock of which should be adequate for the duration of the voyage and changed at reasonable intervals;
  - facilities for recreational handicrafts;
  - electronic equipment such as a radio, television, video recorders, DVD/CD player, personal computer and software and cassette recorder/player;
  - where appropriate, the provision of bars on board for seafarers unless these are contrary to national, religious or social customs; and
  - reasonable access to ship-to-shore telephone communications, and email and Internet facilities, where available, with any charges for the use of these services being reasonable in amount.

**ABS Guidance**

- A central stowage area for books should be provided with at least 300 millimeters (12 inches) of shelving for every five crew members.
- Shelves should have battens and upward flanged edges on open sides to retain their contents.
- At least one seat and writing surface should be provided in a recreation lounge for every six crew members.
- At least 1.4 square meters (15 square feet) should be provided for each seat in the lounge.
- The goal of the recreational area(s) should be to provide space for $\frac{1}{3}$ of the crew to participate simultaneously in some form of leisure activity.
- Exercise equipment should be provided for crew members that permits aerobic, flexibility and strength training capabilities.
- Consideration should also be given for computer internet access.
- The deck area provided for crew member exercise for each physical fitness station within the space is at least 1.85 square meters (20 square feet).
### TABLE 8 (continued)
Recreation Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.14</td>
<td><em>All ships shall have a space or spaces on open deck to which the seafarers can have access when off duty, which are of adequate area having regard to the size of the ship and the number of seafarers on board.</em></td>
</tr>
</tbody>
</table>

**ABS Guidance** (ref. 1)

Ships should be equipped with awnings for use over exterior recreation deck spaces.
### TABLE 9
Laundry Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A3.1.13</td>
<td>Appropriately situated and furnished laundry facilities shall be available.</td>
</tr>
</tbody>
</table>

**MLC 2006 Part B Guidance**

The laundry facilities provided for seafarers’ use should include:

(a) washing machines;
(b) drying machines or adequately heated and ventilated drying rooms; and
(c) irons and ironing boards or their equivalent.

**ABS Guidance** (ref. 1)

- Facilities should exist for washing and drying clothes on a scale appropriate to the size of the crew and the normal duration of the voyage.
- Laundry facilities should be located within easy access of crew accommodations.
- Laundry facilities should be sufficient to allow crew members to be provided with clean and dry underwear once per day and clean and dry outerwear and bedding once per 5 days.
- Appropriate clearance should be provided for equipment maintenance.
- Coamings should be provided around washing machines, water heaters, etc., to contain spills.
- Washers and dryers (if provided) should be placed relative to each other to facilitate the transfer of clothing from the washer to the dryer.
- Ironing boards, if provided, should be covered with a fireproof cloth cover.
- Means should be provided for stowing the iron and ironing board.
- Air vents from laundry space should not re-circulate in the vessel.
- Tumble dryers, if provided, should exhaust directly into the weather, not into the vessel.
- A kick space of 100 millimeters (4 in.) high by 100 millimeters (4 in.) deep should be provided at the base of laundry folding and sorting tables.
### TABLE 10
Medical Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
</table>
| A3.1.12 | Ships carrying 15 or more seafarers and engaged in a voyage of more than three days’ duration shall provide separate hospital accommodation to be used exclusively for medical purposes. The competent authority may relax this requirement for ships engaged in coastal trade.  

In approving on-board hospital accommodation, the competent authority shall ensure that the accommodation will, in all weathers, be easy of access, provide comfortable housing for the occupants and be conducive to their receiving prompt and proper attention. |

**MLC 2006 Part B Guidance**

The arrangement of the entrance, berths, lighting, ventilation, heating and water supply should be designed to ensure the comfort and facilitate the treatment of the occupants.

**ABS Guidance** (ref. 2)

- The medical accommodations should be fitted with berths in the ratio of one berth to every 12 crew members or portion thereof who are not berthed in single occupancy rooms. The number of berths need not exceed 6.
- If double tier beds are provided, the upper tier should be either hinged or removable.
- Interior finish materials and furnishings should be designed to ease cleaning efforts and improve medical accommodations maintenance.
- The medical accommodations should be always ready to receive sick or injured patients.
- The medical accommodations should be suitably located to allow for safe and efficient access for sick or injured crew members and for stretcher transportation from accommodations or work areas.
- The medical accommodations should be suitably separated from other spaces and are used for the care of the sick and for no other purpose.
- The medical accommodations should be suitably designed so that the occupants may be comfortably housed and may receive proper attention in all weathers.
- Painted wall surfaces and deck heads should be light in color.
- Non-slip type deck coverings should be supplied where occasional water or liquid on the floors is expected.
- Medical accommodations should not be used as a storage area except for medical supplies.
- Medical accommodations should have the necessary suitable outfitting items such as a clothes locker, a table and a seat based on the number of possible patients.
- Medical accommodations should have a toilet, washbasin and bathtub or shower conveniently situated for the use of patients.
- The door to the toilet and washbasin should open outwards and any door latch shall be capable of being opened from the outside.
TABLE 10 (continued)
Medical Requirements Checksheet

<table>
<thead>
<tr>
<th>#</th>
<th>Mandatory Requirements (Part A) and Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>A4.1.1.b</td>
<td>Ensure that seafarers are given health protection and medical care as comparable as possible to that which is generally available to workers ashore, including prompt access to the necessary medicines, medical equipment and facilities for diagnosis and treatment and to medical information and expertise.</td>
</tr>
<tr>
<td></td>
<td><strong>ABS Guidance (ref. 1)</strong></td>
</tr>
<tr>
<td></td>
<td>• Medical accommodations should be equipped with a means of sterilizing instruments.</td>
</tr>
<tr>
<td></td>
<td>• Medical accommodations should be equipped with a first aid kit, which is immediately available for each medically trained person and have an approved medicine chest with readily understandable instructions.</td>
</tr>
<tr>
<td></td>
<td>• On vessels in which the crew is berthed in single occupancy rooms, one room should be designated and fitted for use as a treatment or isolation room.</td>
</tr>
<tr>
<td></td>
<td>• Medical accommodations should be equipped with stretchers that provide the ability to winch a sick or injured person into a helicopter or vessel.</td>
</tr>
<tr>
<td></td>
<td>• Such a stretcher should have the capability of floating and self-righting itself in the water, be collapsible, and be suitable for use in confined spaces.</td>
</tr>
<tr>
<td></td>
<td>• Medical/first aid accommodations should be situated and arranged so that a stretcher can be easily carried into it and placed alongside an examination table or bed.</td>
</tr>
<tr>
<td></td>
<td>• Medical accommodations should have lockable storage for drugs, dressings and medical equipment.</td>
</tr>
<tr>
<td></td>
<td>• Medical accommodations should have an intercom or signaling system (e.g., an emergency call device) to the navigation bridge.</td>
</tr>
<tr>
<td>A4.1.4.a</td>
<td>All ships shall carry a medicine chest, medical equipment and a medical guide, the specifics of which shall be prescribed and subject to regular inspection by the competent authority; the national requirements shall take into account the type of ship, the number of persons on board and the nature, destination and duration of voyages and relevant national and international recommended medical standards.</td>
</tr>
<tr>
<td>A4.1.4.b</td>
<td>National laws and regulations shall as a minimum provide for the following requirements: ships carrying 100 or more persons and ordinarily engaged on international voyages of more than three days’ duration shall carry a qualified medical doctor who is responsible for providing medical care; national laws or regulations shall also specify which other ships shall be required to carry a medical doctor, taking into account, inter alia, such factors as the duration, nature and conditions of the voyage and the number of seafarers on board.</td>
</tr>
</tbody>
</table>
1.3 References

1. ABS Guide for Crew Habitability on Ships, 2001
5. ILO Code of Practice; Ambient Factors in the Workplace, 2001
6. ABS Guide for Compliance with the ILO Maritime Labour Convention, 2006 Title 3 Requirements, 2009
This Page Intentionally Left Blank
SECTION 5 Inspection without Certification

1 Mandatory Inspection Requirements within the Convention

The 14 general areas of the DMLC described in Sections 3 and 4 of these Guidance Notes require inspection and certification by the flag State or RO. In addition, five additional areas of the Convention are subject to flag State and RO inspection only.

The following five Regulations have inspection requirements that are not covered by the 14 general areas noted on the DMLC:

- Regulation 2.4 Entitlement to Leave
- Regulation 2.5 Repatriation
- Regulation 4.2 Shipowner’s Liability
- Regulation 4.5 Social Security
- Regulation 5.1.1 General Principles

Guidance to comply with the above listed Regulations is given in this Section. If the flag State inspector, or the RO inspector finds deficiencies on the 14 DMLC areas, or these other five Regulations subject to inspection, the Maritime Labour Certificate may not be issued or it may be withdrawn until the deficiencies are rectified.
TITLE 2: Conditions of Employment
REG. 2.4 Entitlement to leave

Purpose
To ensure that seafarers have adequate leave.

Key Issues
1. Each Member shall require that seafarers employed on ships that fly its flag are given paid annual leave under appropriate conditions, in accordance with the provisions in the Code.
2. Seafarers shall be granted shore leave to benefit their health and well-being and with the operational requirements of their positions.
TITLE 2: Conditions of Employment
STD. 2.4 Entitlement to leave

Mandatory

1. Each Member shall adopt laws and regulations determining the minimum standards for annual leave for seafarers serving on ships that fly its flag, taking proper account of the special needs of seafarers with respect to such leave.

2. Subject to any collective agreement or laws or regulations providing for an appropriate method of calculation that takes account of the special needs of seafarers in this respect, the annual leave with pay entitlement shall be calculated on the basis of a minimum of 2.5 calendar days per month of employment. The manner in which the length of service is calculated shall be determined by the competent authority or through the appropriate machinery in each country. Justified absences from work shall not be considered as annual leave.

3. Any agreement to forgo the minimum annual leave with pay prescribed in this Standard, except in cases provided for by the competent authority, shall be prohibited.

Methods to Achieve Compliance

Each seafarer must be allowed to have paid annual leave. The shipowner may calculate this leave in differing ways, but the minimum annual paid leave shall be at least two-and-a-half calendar days per month of employment. Agreements to forgo minimum annual leave with pay may only be approved by the competent authority. Seafarers should be granted appropriate shore leave.

The shipowner should ensure that attendance at approved maritime vocational training courses or absences from work due to illness, injury, or maternity reasons are counted as part of the seafarer’s period of service.

The shipowner should ensure that annual leave pay is equivalent to the seafarer’s normal level of remuneration that is defined in national laws or the employment agreement. Leave should be calculated on a pro rata basis for work, the duration of which is less than one year.

The shipowner should ensure that flag State holidays, periods of incapacity (illness, injury, maternity, or as defined by the competent authority), temporary shore leave, or other approved compensatory leave as established by the competent authority are not counted as part of the annual leave pay.

Continued on next page
Methods to Achieve Compliance (continued)

The shipowner should attempt to provide annual leave in accordance with the seafarer’s wishes, both in time and location, but still ensure that collective bargaining agreements and national practice are taken into account. Free transportation should be provided to the seafarer if commencing annual leave from a place other than a seafarer’s place of repatriation. Travel time should not be deducted from the annual leave with pay.

Annual leave should continue for an uninterrupted period; however, dividing work and leave into several parts within a year’s timeframe is acceptable when authorized through the competent authority or by other means in each country.

Seafarers under the age of 18, who have served six months or less without leave to the seafarer’s residence country under a collective bargaining agreement and the ship is not scheduled to return to that country within the subsequent three months, should receive special measures of consideration by the shipowner.

Sample Procedures

The shipowner should have documented procedures regarding leave calculations and seafarer compensation.

Sample Records

- Collective bargaining agreements
- Payroll records
- Annual leave calculations
- Crew lists
- Seafarer’s training record books
- Service records for seafarers
Title 2: Conditions of Employment
Reg. 2.5 Repatriation

Purpose
To ensure that seafarers are able to return home.

Key Issues
1. Seafarers have a right to be repatriated at no cost to themselves in the circumstances and under the conditions specified in the Code.
2. Each Member shall require ships that fly its flag to provide financial security to ensure that seafarers are duly repatriated in accordance with the Code.
Mandatory

1. Each Member shall ensure that seafarers on ships that fly its flag are entitled to repatriation in the following circumstances:
   (a) if the seafarers’ employment agreement expires while they are abroad;
   (b) when the seafarers’ employment agreement is terminated:
      (i) by the shipowner; or
      (ii) by the seafarer for justified reasons; and also
   (c) when the seafarers are no longer able to carry out their duties under their employment agreement or cannot be expected to carry them out in the specific circumstances.

2. Each Member shall ensure that there are appropriate provisions in its laws and regulations or other measures or in collective bargaining agreements, prescribing:
   (a) the circumstances in which seafarers are entitled to repatriation in accordance with paragraph 1(b) and (c) of this Standard;
   (b) the maximum duration of service periods on board following which a seafarer is entitled to repatriation – such periods to be less than 12 months; and
   (c) the precise entitlements to be accorded by shipowners for repatriation, including those relating to the destinations of repatriation, the mode of transport, the items of expense to be covered and other arrangements to be made by shipowners.

3. Each Member shall prohibit shipowners from requiring that seafarers make an advance payment towards the cost of repatriation at the beginning of their employment, and also from recovering the cost of repatriation from the seafarers’ wages or other entitlements except where the seafarer has been found, in accordance with national laws or regulations or other measures or applicable collective bargaining agreements, to be in serious default of the seafarer’s employment obligations.

4. National laws and regulations shall not prejudice any right of the shipowner to recover the cost of repatriation under third-party contractual arrangements.

5. If a shipowner fails to make arrangements for or to meet the cost of repatriation of seafarers who are entitled to be repatriated:
   (a) the competent authority of the Member whose flag the ship flies shall arrange for repatriation of the seafarers concerned; if it fails to do so, the State from which the seafarers are to be repatriated or the State of which they are a national may arrange for their repatriation and recover the cost from the Member whose flag the ship flies;
   (b) costs incurred in repatriating seafarers shall be recoverable from the shipowner by the Member whose flag the ship flies;
   (c) the expenses of repatriation shall in no case be a charge upon the seafarers, except as provided for in paragraph 3 of this Standard.

Continued on next page
6. Taking into account applicable international instruments, including the International Convention on Arrest of Ships, 1999, a Member which has paid the cost of repatriation pursuant to this Code may detain, or request the detention of, the ships of the shipowner concerned until the reimbursement has been made in accordance with paragraph 5 of this Standard.

7. Each Member shall facilitate the repatriation of seafarers serving on ships which call at its ports or pass through its territorial or internal waters, as well as their replacement on board.

8. In particular, a Member shall not refuse the right of repatriation to any seafarer because of the financial circumstances of a shipowner or because of the shipowner’s inability or unwillingness to replace a seafarer.

9. Each Member shall require that ships that fly its flag carry and make available to seafarers a copy of the applicable national provisions regarding repatriation written in an appropriate language.

Methods to Achieve Compliance

The shipowner should ensure that financial security is established for repatriation of seafarers, and that no cost is borne by the seafarer. Repatriation should be established whenever the seafarer’s employment contract expires while abroad, if the employment agreement is terminated by the shipowner or the seafarer for justified reasons, and whenever the seafarer is unable or cannot be expected to carry out duties in specific circumstances.

The shipowner should be cognizant of laws and regulations that the competent authority promulgates regarding repatriation. These laws and regulations should define circumstances for granting repatriation; identify maximum duration of service on board upon which a seafarer is entitled to repatriation, such periods of which should be less than 12 months; and provide information regarding entitlements to shipowners for repatriation, including such things as destinations of repatriation, mode of transport, and expenses to be covered by shipowners. The shipowner should comply with these requirements.

The shipowner should ensure that repatriation destinations should be defined as the place of employment, as noted in the collective agreement, as the seafarer’s country of residence, or other mutually agreed destination at the time of engagement.

Continued on next page
Seafarers shall not be required to make advance payments towards the cost of repatriation at the beginning of their employment. Repatriation costs shall not be recovered from the seafarer’s wages or other benefits except in the event that the seafarer is in serious default of employment obligations of national laws or collective bargaining agreements. The shipowner has the right to recover repatriation costs under third-party arrangements. If the shipowner fails to meet repatriation requirements, costs incurred by the flag State or the State from which the seafarer is repatriated shall be recoverable from the shipowner; the seafarer shall not be charged except as noted above if the seafarer is in serious default. Detention of one or more of the shipowner’s ships may occur until reimbursement is made.

Shipowners must be aware that competent authorities shall facilitate repatriation of seafarers in their ports and internal and territorial waters, including their replacements. Repatriation shall not be refused because of shipowner financial circumstances or because of the shipowner’s inability or unwillingness to replace a seafarer. The shipowner shall ensure that a copy of the national provisions regarding repatriation in an appropriate language is made available to the seafarers.

The shipowner should ensure that collective bargaining agreements contain provisions for repatriation. The agreements should address situations for repatriation such as illness, injury, or other mental condition requiring repatriation when found medically fit to travel; shipwreck; shipowner’s inability to fulfill its employer obligations due to insolvency, sale of ship, or change of flag; seafarer refusal to enter a nationally or contractually defined war zone; and termination or interruption of employment in accordance with an industrial award or collective agreement.

The shipowner shall bear the following repatriation costs: destination passage; accommodations and food during the transit; pay and allowances during the transit, if provided by national laws or collective agreements; luggage costs of 30 kg (66 pounds); and medical treatment, when necessary, until such time that the seafarer is medically fit to travel. The shipowner should not deduct time spent awaiting repatriation and travel time from paid leave accrued by the seafarer.

Seafarers under the age of 18, if during their first foreign-going voyage lasting at least four months, who demonstrate an unsuitability to life at sea, should be given the opportunity for repatriation at no cost to the seafarer. Repatriation should then take place in the first port of call for which there are consular services of the flag State or the nationality of the seafarer. Reasons for repatriation should be documented and provided to relevant authorities.
### Conditions of Employment

#### Repatriation, Continued

The company should have documented procedures regarding seafarer repatriation, the employment process with manning agents, seafarer compensation, and for monitoring and maintenance of access to and integration of current flag State and other applicable regulations into the company’s management system.

<table>
<thead>
<tr>
<th>Sample Procedures</th>
</tr>
</thead>
<tbody>
<tr>
<td>The company should have documented procedures regarding seafarer repatriation, the employment process with manning agents, seafarer compensation, and for monitoring and maintenance of access to and integration of current flag State and other applicable regulations into the company’s management system.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sample Records</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Payroll records</td>
</tr>
<tr>
<td>- Copy of national provisions regarding repatriation available in an appropriate language to seafarers</td>
</tr>
<tr>
<td>- Collective bargaining agreements</td>
</tr>
<tr>
<td>- Crew lists</td>
</tr>
<tr>
<td>- Documentation regarding repatriation correspondence, including reasons for repatriation, particularly for seafarers under the age of 18</td>
</tr>
<tr>
<td>- Company expense records showing travel costs for repatriated seafarers</td>
</tr>
</tbody>
</table>
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

REG. 4.2 Shipowners’ liability

**Purpose**
To ensure that seafarers are protected from the financial consequences of sickness, injury or death occurring in connection with their employment.

**Key Issues**

1. Each Member shall ensure that measures, in accordance with the Code, are in place on ships that fly its flag to provide seafarers employed on the ships with a right to material assistance and support from the shipowner with respect to the financial consequences of sickness, injury or death occurring while they are serving under a seafarers’ employment agreement or arising from their employment under such agreement.

2. This Regulation does not affect any other legal remedies that a seafarer may seek.
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.2 Shipowner's liability

Mandatory

1. Each Member shall adopt laws and regulations requiring that shipowners of ships that fly its flag are responsible for health protection and medical care of all seafarers working on board the ships in accordance with the following minimum standards:

   (a) shipowners shall be liable to bear the costs for seafarers working on their ships in respect of sickness and injury of the seafarers occurring between the date of commencing duty and the date upon which they are deemed duly repatriated, or arising from their employment between those dates;

   (b) shipowners shall provide financial security to assure compensation in the event of the death or long-term disability of seafarers due to an occupational injury, illness or hazard, as set out in national law, the seafarers’ employment agreement or collective agreement;

   (c) shipowners shall be liable to defray the expense of medical care, including medical treatment and the supply of the necessary medicines and therapeutic appliances, and board and lodging away from home until the sick or injured seafarer has recovered, or until the sickness or incapacity has been declared of a permanent character; and

   (d) shipowners shall be liable to pay the cost of burial expenses in the case of death occurring on board or ashore during the period of engagement.

2. National laws or regulations may limit the liability of the shipowner to defray the expense of medical care and board and lodging to a period which shall not be less than 16 weeks from the day of the injury or the commencement of the sickness.

3. Where the sickness or injury results in incapacity for work the shipowner shall be liable:

   (a) to pay full wages as long as the sick or injured seafarers remain on board or until the seafarers have been repatriated in accordance with this Convention; and

   (b) 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.

4. National laws or regulations may limit the liability of the shipowner to pay wages in whole or in part in respect of a seafarer no longer on board to a period which shall not be less than 16 weeks from the day of the injury or the commencement of the sickness.

Continued on next page
Title 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.2 Shipowner's liability, Continued

Mandatory (continued)

5. National laws or regulations may exclude the shipowner from liability in respect of:
   (a) injury incurred otherwise than in the service of the ship;
   (b) injury or sickness due to the willful misconduct of the sick, injured or deceased seafarer; and
   (c) sickness or infirmity intentionally concealed when the engagement is entered into

6. National laws or regulations may exempt the shipowner from liability to defray the expense of medical care and board and lodging and burial expenses in so far as such liability is assumed by the public authorities.

7. Shipowners or their representatives shall take measures for safeguarding property left on board by sick, injured or deceased seafarers and for returning it to them or to their next of kin.

Methods to Achieve Compliance

The shipowner shall provide employed seafarers with material assistance and support for financial consequences of sickness, injury, or death while serving under or arising from the seafarer’s employment. The shipowner should be cognizant of national legislation regarding health protection and medical care liability.

Shipowners are liable for costs of injuries and illnesses of seafarers; financial security in event of death or long-term disability due to occupational injury, illness, or hazard as defined by national law or collective agreement; defrayment of medical care and treatment, board and lodging away from home until the seafarer has recovered or until the sickness incapacity has been declared of a permanent character; and burial expenses.

If the seafarer suffers incapacitation resulting from sickness or injury, the shipowner is liable to pay full wages while the seafarer is on board or until repatriated and in accordance with national laws and collective agreements after repatriation until the seafarer’s recovery or until the seafarer is entitled to cash benefits.

The shipowner is not liable, provided national laws are established, from injury occurring otherwise in the service of the ship, injury or sickness due to willful misconduct of the particular seafarer, or for medical conditions intentionally concealed at the time of employment.

The shipowner shall take measures to safeguard property left on board by a departing seafarer who is injured, infirmed, or deceased, including returning the property to a next of kin.

The shipowner should consult with national laws and regulations to determine if liability for cost of sick or injured seafarers cease whenever the seafarer can claim medical benefits from insurance programs. The shipowner should also determine if national laws or regulations allow reimbursement for burial expenses from insurance.

Continued on next page
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.2 Shipowner's liability, Continued

Sample Procedures

The shipowner should have documented procedures for medical treatment for seafarers, seafarer benefits, and for monitoring and maintenance of access to and integration of current flag State and other applicable regulations into the company’s management system.

Sample Records

- Records of how property left on board by sick, injured, or deceased seafarers was handled
- Collective agreements
- Payroll records
- Medical records, including expenses paid
- Shipowner benefit plans
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

REG. 4.5 Social security

Purpose
To ensure that measures are taken with a view to providing seafarers with access to social security protection.

Key Issues
1. Each Member shall ensure that all seafarers and, to the extent provided for in its national law, their dependants have access to social security protection in accordance with the Code without prejudice however to any more favourable conditions referred to in paragraph 8 of article 19 of the Constitution.

2. Each Member undertakes to take steps, according to its national circumstances, individually and through international cooperation, to achieve progressively comprehensive social security protection for seafarers.

3. Each Member shall ensure that seafarers who are subject to its social security legislation, and, to the extent provided for in its national law, their dependants, are entitled to benefit from social security protection no less favourable than that enjoyed by shore workers.
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.5 Social security

Mandatory

1. The branches to be considered with a view to achieving progressively comprehensive social security protection under Regulation 4.5 are: medical care, sickness benefit, unemployment benefit, old-age benefit, employment injury benefit, family benefit, maternity benefit, invalidity benefit and survivors’ benefit, complementing the protection provided for under Regulations 4.1, on medical care, and 4.2, on shipowners’ liability, and under other titles of this Convention.

2. At the time of ratification, the protection to be provided by each Member in accordance with Regulation 4.5, paragraph 1, shall include at least three of the nine branches listed in paragraph 1 of this Standard.

3. Each Member shall take steps according to its national circumstances to provide the complementary social security protection referred to in paragraph 1 of this Standard to all seafarers ordinarily resident in its territory. This responsibility could be satisfied, for example, through appropriate bilateral or multilateral agreements or contribution-based systems. The resulting protection shall be no less favourable than that enjoyed by shoreworkers resident in their territory.

4. Notwithstanding the attribution of responsibilities in paragraph 3 of this Standard, Members may determine, through bilateral and multilateral agreements and through provisions adopted in the framework of regional economic integration organizations, other rules concerning the social security legislation to which seafarers are subject.

5. Each Member’s responsibilities with respect to seafarers on ships that fly its flag shall include those provided for by Regulations 4.1 and 4.2 and the related provisions of the Code, as well as those that are inherent in its general obligations under international law.

6. Each Member shall give consideration to the various ways in which comparable benefits will, in accordance with national law and practice, be provided to seafarers in the absence of adequate coverage in the branches referred to in paragraph 1 of this Standard.

7. The protection under Regulation 4.5, paragraph 1, may, as appropriate, be contained in laws or regulations, in private schemes or in collective bargaining agreements or in a combination of these.

8. To the extent consistent with their national law and practice, Members shall cooperate, through bilateral or multilateral agreements or other arrangements, to ensure the maintenance of social security rights, provided through contributory or non-contributory schemes, which have been acquired, or are in the course of acquisition, by all seafarers regardless of residence.

9. Each Member shall establish fair and effective procedures for the settlement of disputes.
TITLE 4: Health Protection, Medical Care, Welfare and Social Security Protection

STD. 4.5 Social security, continued

Mandatory (continued)

10. Each Member shall at the time of ratification specify the branches for which protection is provided in accordance with paragraph 2 of this Standard. It shall subsequently notify the Director-General of the International Labour Office when it provides social security protection in respect of one or more other branches stated in paragraph 1 of this Standard. The Director-General shall maintain a register of this information and shall make it available to all interested parties.

11. The reports to the International Labour Office pursuant to article 22 of the Constitution, shall also include information regarding steps taken in accordance with Regulation 4.5, paragraph 2, to extend protection to other branches.

Methods to Achieve Compliance

Seafarers, and to the extent provided by national law, their dependents shall have access to social security protection comparable to the benefits enjoyed by shoreworkers in their respective countries.

Seafarers should have social security protection. The shipowner should consider such benefits as medical care, sickness, unemployment, old-age, employment injury, family, maternity, invalidity, and survivors. These benefits should complement protection specified in Regulations 4.1, on medical care, and 4.2, on shipowner’s liability.

Note that at the time of ratification, the shipowner should be aware that Members were required to provide for at least three of the above listed benefits: particularly medical care, sickness benefit, and employment-injury benefit.

Dispute settlement arrangements shall be established. The shipowner should facilitate this process.

Sample Procedures

The company should have documented procedures regarding seafarer compensation, seafarer benefits, payroll deductions, and seafarer complaints.

Sample Records

- Financial records of contributions to the national social security system
- Collective agreements
- Payroll records
- Seafarer complaints or concerns regarding social security benefits
Title 5: Compliance and Enforcement
Reg. 5.1.1 Flag State responsibilities – General principles

Purpose

To ensure that each Member implements its responsibilities under this Convention with respect to ships that fly its flag.

Key Issues

1. Each Member is responsible for ensuring implementation of its obligations under this Convention on ships that fly its flag.

2. Each Member shall establish an effective system for the inspection and certification of maritime labour conditions, in accordance with Regulations 5.1.3 and 5.1.4 ensuring that the working and living conditions for seafarers on ships that fly its flag meet, and continue to meet, the standards in this Convention.

3. In establishing an effective system for the inspection and certification of maritime labour conditions, a Member may, where appropriate, authorize public institutions or other organizations (including those of another Member, if the latter agrees) which it recognizes as competent and independent to carry out inspections or to issue certificates or to do both. In all cases, the Member shall remain fully responsible for the inspection and certification of the working and living conditions of the seafarers concerned on ships that fly its flag.

4. A Maritime Labour Certificate, complemented by a declaration of maritime labour compliance, shall constitute prima facie evidence that the ship has been duly inspected by the Member whose flag it flies and that the requirements of this Convention relating to working and living conditions of the seafarers have been met to the extent so certified.

5. Information about the system referred to in paragraph 2 of this Regulation, including the method used for assessing its effectiveness, shall be included in the Member’s reports to the International Labour Office pursuant to article 22 of the Constitution.
TITLE 5: Compliance and Enforcement
STD. 5.1.1 Flag State responsibilities – General principles

**Mandatory**

1. *Each Member shall establish clear objectives and standards covering the administration of its inspection and certification systems, as well as adequate overall procedures for its assessment of the extent to which those objectives and standards are being attained.*

2. *Each Member shall require all ships that fly its flag to have a copy of this Convention available on board.*

**Methods to Achieve Compliance**

The shipowner must be cognizant that the competent authority shall set up inspection and certification of its ships against the requirements of the Convention. ROs may be used to facilitate these processes.

The shipowner can be assured that the Maritime Labour Certificate and DMLC shall be used as prima facie evidence that the requirements of the Convention have been implemented on board the ship and that working and living conditions are inspected, and certified, as appropriate. The shipowner should ensure that internal audits are conducted on board the ships in order to determine continuing compliance with company procedures and Convention requirements. Corrective and preventive actions should be promptly addressed.

The shipowner shall ensure that a copy of the Convention is on board its ships.

**Sample Procedures**

The shipowner should have documented procedures for handling ILO ship inspections, internal auditing of the company’s MS, and corrective and preventive action.

**Sample Records**

- Copy of the Convention
- Original Maritime Labour Certificate and DMLC
- ILO inspection reports
- Internal audit reports
- Corrective and preventive action records
APPENDIX 1

Example, Declaration of Maritime Labour Compliance (DMLC)

1 Declaration of Maritime Labour Compliance – Part I

(Note: This Declaration must be attached to the ship’s Maritime Labour Certificate)

Issued under the authority of: FLAG STATE (insert name of competent authority as defined in Article II, paragraph 1(a), of the Convention)

With respect to the provisions of the Maritime Labour Convention, 2006, the following referenced ship:

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>IMO Number</th>
<th>Gross Tonnage</th>
</tr>
</thead>
<tbody>
<tr>
<td>M/V Everyday</td>
<td>IMO 1234567</td>
<td>12,345</td>
</tr>
</tbody>
</table>

is maintained in accordance with Standard A5.1.3 of the Convention.

The undersigned declares, on behalf of the abovementioned competent authority, that:

(a) the provisions of the Maritime Labour Convention are fully embodied in the national requirements referred to below;

(b) these national requirements are contained in the national provisions referenced below; explanations concerning the content of those provisions are provided where necessary;

(c) the details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided <under the corresponding national requirement listed below> <in the section provided for this purpose below> (strike out the statement which is not applicable);

(d) any exemptions granted by the competent authority in accordance with Title 3 are clearly indicated in the section provided for this purpose below; and

(e) any ship-type specific requirements under national legislation are also referenced under the requirements concerned.

1. Minimum age (Regulation 1.1) ............................................................................................................................
2. Medical certification (Regulation 1.2) ...................................................................................................................
3. Qualifications of seafarers (Regulation 1.3) ........................................................................................................
4. Seafarers’ employment agreements (Regulation 2.1) ............................................................................................
5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation. 1.4) .................................................................................................................................
6. Hours of work or rest (Regulation 2.3) ...................................................................................................................
7. Manning levels for the ship (Regulation 2.7) .........................................................................................................
Appendix 1 Example, Declaration of Maritime Labour Compliance (DMLC)

8. Accommodation (Regulation 3.1) ..............................................................................................................
9. On-board recreational facilities (Regulation 3.1) ........................................................................................
10. Food and catering (Regulation 3.2) ...........................................................................................................
11. Health and safety and accident prevention (Regulation 4.3) .................................................................
12. On-board medical care (Regulation 4.1) ......................................................................................................
13. On-board complaint procedures (Regulation 5.1.5) .................................................................................
14. Payment of wages (Regulation 2.2) ...........................................................................................................

Name: .................................................................................
Title: .....................................................................................
Signature: ...........................................................................
Place: ..................................................................................
Date: .....................................................................................
(Seal or stamp of the authority, as appropriate)

Substantial equivalencies
(Note: Strike out the statement which is not applicable)

The following substantial equivalencies, as provided under Article VI, paragraphs 3 and 4, of the Convention, except where stated above, are noted (insert description if applicable):
...............................................................................................................................................................................
...............................................................................................................................................................................
No equivalency has been granted.

Name: .................................................................................
Title: .....................................................................................
Signature: ...........................................................................
Place: ..................................................................................
Date: .....................................................................................
(Seal or stamp of the authority, as appropriate)
Appendix 1 Example, Declaration of Maritime Labour Compliance (DMLC)

Exemptions
(Note: Strike out the statement which is not applicable)

The following exemptions granted by the competent authority as provided in Title 3 of the Convention are noted:

...............................................................................................................................................................................
...............................................................................................................................................................................
...............................................................................................................................................................................

No exemption has been granted.

Name: ..........................................................................
Title: ............................................................................
Signature:.....................................................................
Place: ...........................................................................
Date: ............................................................................

(Seal or stamp of the authority, as appropriate)
### Declaration of Maritime Labour Compliance – Part II

**Measures adopted to ensure ongoing compliance between inspections**

The following measures have been drawn up by the shipowner, named in the Maritime Labour Certificate to which this Declaration is attached, to ensure ongoing compliance between inspections:

(State below the measures drawn up to ensure compliance with each of the items in Part I)

1. **Minimum age (Regulation 1.1)**

   Flag State requirements regarding seafarers under the age of 18 are maintained on board and in the shore-side headquarters. Seafarer age verification is conducted prior to employment to verify that no one under the age of 16 is employed. Manning agents provide certifiable information regarding age of seafarers. Date of birth is included on crew lists. Working hours and restrictions are provided to each seafarer under the age of 18 when accepting the berth at the manning agency and when signing on board. A training program for seafarers under the age of 18 has been established and approved by the competent authority. Medical fitness checks have been established for seafarers under the age of 18 and documentation is kept on board with the master. Annual internal audits are conducted to verify conformance with these processes.

   **Note:** Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

2. **Medical certification (Regulation 1.2)**

   Medical fitness of seafarers is ascertained by use of the ILO/WHO Guidelines for Conducting Pre-sea and Periodic Medical Fitness Examinations for Seafarers and with flag State requirements. A medical examination procedure incorporates these standards. Medical providers are apprised of these standards and provided with the approved medical fitness certificate from the flag State. Qualified medical practitioners are used in evaluating seafarer medical fitness. Secondary examinations are conducted for seafarers that fail the initial medical examinations. Only seafarers that are fully fit-for-duty are employed on the ships. Qualifications for hearing and eyesight are defined and provided to the master and to qualified medical practitioners. Expiration dates of medical certificates are monitored on a monthly basis and upon signing onto a ship. Provisions have been made so that a seafarer with an expired medical certificate while in the service of the ship can obtain a new medical certificate from a qualified practitioner at the first available opportunity within a period not exceeding three months. Medical certificates are printed in the English language, and may also be in the working language of the ship.

   **Note:** Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

3. **Qualifications of seafarers (Regulation 1.3)**

   Expiration dates of seafarers’ credentials are monitored. Seafarers are required to be in possession of their original, signed credentials while on the ship. Credentials are examined when signing on board to verify that the credentials are not fraudulent. Competency requirements are established which meet or exceed national, and international requirements. Copies of these requirements are maintained on the ship and in the company’s office. Training requirements have been established for each seafarer position. Seafarer competency requirements are communicated to manning agents who are required to fill seafarer positions with qualified personnel. Ship familiarization is provided to seafarers when joining the ship.

   **Note:** Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.
4. Seafarers’ employment agreements (Regulation 2.1)

Seafarers receive payment at defined intervals, no greater than monthly intervals. Payment arrangements are defined in collective bargaining agreements, as applicable. Copies of these agreements in English are maintained in the office and on board the ship. The standard agreement and the section of the agreement pertaining to the complaint process are provided on board in English. Seafarers are provided with a signed original of their employment agreements. Each seafarer job description is defined. The job descriptions are available on board the ship and are provided to the manning agency. Records of all communications related to seafarers’ employment agreements are maintained in the manning agents office and the company’s office ashore. Sign-off arrangements and repatriation, at the end of a voyage or term of employment, are defined. Payment arrangements include wages and other additional compensation in accordance with seafarer employment agreement. Rates of exchange are specified in the wage or allotment slip in accordance with flag administration requirements. Seafarers can elect the means by which earnings are transferred to family, dependants, or other legal beneficiaries. Allotment provisions have been established. Wage calculations are defined in the collective bargaining agreements and the company’s procedures. These agreements and procedures are revised as changes in official published rates are amended. Annual leave calculations, health and security protection benefits, termination processes, conditions of employment, and repatriation are described in the agreements. Flag State regulations are regularly reviewed to verify that seafarer payments meet or exceed minimum wage requirements.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)

Flag State regulations regarding recruitment are monitored. Flag State approved training is provided to the seafarers. Medically fit seafarers are employed irrespective of age, sex, religion, or race. Disqualifying reasons for not hiring are defined. Manning agents are periodically assessed to determine if they have processes in place to maintain adequate understanding of flag State requirements for hiring and training prospective seafarers in accordance with international regulations. Approved medical practitioners, using flag State and international protocols, are used to verify medical fitness of seafarers. Personnel files are maintained for each seafarer. Seafarers’ rights to privacy are protected. Manning agents provide documentation for each seafarer prior to joining. Emergency contact information is established for purposes of hiring seafarers. Controls are in place for hiring seafarers in emergency situations. Joining requirements are clearly defined and communicated to the manning agents so that seafarers are not assessed any fees or charges for placement on board such as visas, travel, medical certification, etc. The seafarers are expected to bear the cost of their national licenses, seaman book, and passport or other personal travel documents. Causes for discharge are defined. Medical fitness and competency requirements for seafarers are defined and communicated to manning agencies, as applicable. Insurance and compensation provisions are defined and incorporated into agreements with manning agencies. A documented complaint procedure is established and communicated to each seafarer on board and through manning agencies. Provisions are established for seafarers stranded in foreign ports. Internal audits of the company and manning agents are conducted to verify these specified requirements are being met.

No seafarers are generally recruited from countries which are signatory to the Maritime Labour Convention, 2006. Private recruitment services are required to provide relevant documentation of compliance which is maintained in the company’s office and on board each ship.

Where seafarers are recruited from a country which is not a signatory to the Maritime Labour Convention, 2006, the manning agents are audited periodically, at least yearly, to confirm compliance with Standard A/1.4 of the Maritime Labour Convention, 2006.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.
6. Hours of work or rest (Regulation 2.3)

Working arrangements regarding hours of work and rest periods, meal breaks for all seafarers are defined. These arrangements are posted on board, and are also included in manning agency agreements. Posted information regarding hours of work and rest are in English and in the working language of the ship, as appropriate. Training for senior ship’s officers is conducted to recognize fatigue. Signs of seafarer fatigue are monitored during normal working operations and during emergencies. Emergency drills are scheduled so that certain watch schedules are not regularly adversely affected. Seafarers who are required to work during normal rest periods are afforded compensatory rest as operations allow. Except in circumstances where additional rest breaks will impair watchkeeping duties or effective training of seafarers under the age of 18, such seafarers are provided additional rest breaks where practicable.

Flag State regulations regarding hours of work and rest are monitored. Each seafarer is required to maintain a time sheet or a log of hours of work or rest in accordance with the flag State requirements.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

7. Manning levels for the ship (Regulation 2.7)

Each ship carries a certificate of minimum safe manning, a copy of which is maintained in the shore-side office. Competency requirements for each seafarer position are defined. Positions are filled with seafarers who meet or exceed the defined competency requirements. The identity of each seafarer is assessed for security purposes. Guidance is provided to the master in cases in which a seafarer position suddenly becomes vacant, replacement cannot be obtained in a reasonable time, and the ship is required to sail short. Each ship carries more seafarers than is required by the certificate of minimum safe manning in order to avoid excessive hours of work. Master and senior officers assess seafarer fatigue and provide feedback to shore-side operations so that appropriate corrective action can be implemented.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

8. Accommodation (Regulation 3.1)

Seafarer accommodations are designed and constructed in accordance with flag State requirements for size of rooms (i.e., floor space, head room, number of berths, etc.), heating and ventilation, noise and vibration, sanitary facilities, lighting and hospital accommodations. Design and construction of the ships include provision for insulating external bulkheads for the comfort of the seafarers. Accommodations are designed to be easily cleaned and maintained and to minimize harboring of vermin. Class guidance on crew habitability is referenced and applied where applicable. The ship is inspected in accordance with class and flag State requirements. Noise and vibration surveys have been conducted and provisions made to lessen their effects. High noise areas are distinctively marked and seafarers are made aware of these areas during familiarization. Ventilation, heating, and air conditioning systems are regularly maintained and cleaned. Provisions for natural and adequate artificial lighting in the accommodations, including the sleeping rooms are made. Toilet facilities and room furniture meet or exceed regulatory requirements. Separate sleeping rooms facilities for male and female seafarers are provided. Sanitary, hospital, and laundry facilities are provided on the ships and regularly inspected and maintained. As applicable, ships calling into mosquito-infested ports are provided with equipment to minimize the encroachment of mosquitoes, e.g., window screens. Where the ship cannot comply with flag State requirements related to accommodation areas, appropriate exemptions are requested and documented in DMLC Part I.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.
9. On-board recreational facilities (Regulation 3.1)

Recreational facilities are located as far removed from excessive noise and vibration as is practicable. Acoustic insulation is installed as necessary based upon noise and vibration surveys. Noise levels meet industry and regulatory requirements. High noise areas are clearly marked and personnel familiarization addresses this issue. Personnel are assigned responsibility to care and maintain recreational areas and general rules of use are posted. Sanitary inspections of the accommodations also include recreational areas. Rotating libraries of books, videos, and games are provided. Designated spaces are established for seafarers to use these items with televisions, radio, and video players available. Smoking is permitted in designated smoking areas. Alcohol is not permitted on board at any time. An exercise room is provided on board each ship. Seafarers have access to personal computers, ship-to-shore telephones and other communications equipment. The seafarer is required to pay a nominal fee for these services and the rates are posted on board. Mail service is provided such that, where feasible, mail is posted in the seafarer’s home country via the company’s pouch mail to avoid overseas postage rates. Provisions have been established to allow visitation of seafarers while in port and to allow partners to be carried on board for part or all of a voyage provided compliance with SOLAS regulations is maintained. The seafarer is responsible for insurance coverage of the partner; the company facilitates the process for the seafarer to obtain this insurance.

Where the ship cannot meet flag State requirements related to on-board recreational facilities, appropriate exemptions are requested and documented in DMLC Part I.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

10. Food and catering (Regulation 3.2)

Flag State requirements for shipboard nutrition and food handling are periodically monitored, but no later than monthly interval. Changes are incorporated into company procedures as applicable. Guidance on hygiene and avoidance of food wastage is provided through written procedures and training. Food inventories are replenished at least monthly and are based upon the number of persons on board and the anticipated duration of the upcoming voyage(s). Galleys and storerooms are inspected and cleaned daily. Galley equipment is incorporated into the ship’s maintenance routine. Drinking water may be distilled on board. Drinking water in storage tanks is regularly tested and tanks are cleaned in accordance with the ship’s maintenance routine. Catering staff receives competency training as applicable both in flag State approved schools prior to assuming a position and through on-the-job training on board. Internal audits are conducted to verify conformance with these requirements.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

11. Health and safety and accident prevention (Regulation 4.3)

Risk assessment for health, safety, and accident prevention is conducted on board using a matrix system for routine and non-routine tasks. Tasks that require higher levels of risk assessment are incorporated into a permit-to-work system. A behavioral-based safety program is implemented which encourages teamwork and observance of safe and at-risk behaviors. This program also incorporates a timeout for safety discipline. Seafarers receive familiarization on these programs when joining the ship. Guidance is provided for use of emergency and lifesaving equipment, use of tools, handling hazardous materials and waste, and use of personal protective equipment. Programs of competency for seafarers in this equipment are established. A formal corrective/preventive action system is established to identify areas of nonconformity and for recommending changes to the management system affecting safety and environmental protection. Unsafe condition and near miss reporting is established. Appropriate levels of root-cause analysis are conducted on near misses and accidents. Additional guidance for seafarers under the age of 18 is provided on the ship. The maintenance program is established to prevent accidents due to neglect. Noise and vibration surveys are conducted to prevent hearing damage. Designated smoking areas are established to minimize second-hand
exposure to non-smokers. Competency programs are established for seafarers that handle identified cargo, ballast, engine room, and materials handling equipment on board. Material safety data sheets are provided on board for ready use by seafarers. Safeguards during enclosed space entry work and working with energy sources are established. Health concerns related to drug and alcohol dependency, and contagious diseases are addressed through awareness training. Emergency plans and drill programs are in place. Accidents are reported to the flag State as required. Personnel records are maintained on each seafarer that includes training and medical history. These records are maintained in a confidential manner shore-side. Various publications and informational literature on health and safety is provided to the ships. The ship has a Safety Officer to facilitate and administer these programs. Safety and environmental statistics are collected to determine trends which can serve as the basis for appropriate corrective/preventive action. Seafarers are required to meet medical fitness requirements established by the flag State and company policy prior to boarding. Internal audits are conducted to ensure conformance with requirements.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

12. On-board medical care (Regulation 4.1)

Medical and dental care is provided to the seafarers. The ship carries at least two seafarers who have completed medical care training in compliance with STCW standards. Seafarers that provide medical care undergo refresher training every five years. Radio and satellite subscriptions to medical advice services are maintained. Medical evacuation and other emergency situations are included in emergency response plans on board. Medical guide publications are provided to the ships. Signal code flags are provided. Seafarers that provide medical care undergo refresher training every five years. Hospital facilities are on each ship and outfitted in accordance with flag State requirements regarding medicines and medical supplies. Monthly inventories are conducted. Controlled drugs are kept in the master’s safe or under double-lock in the hospital. Inspection of hospital facilities is incorporated into the ship’s maintenance routine. Shore-side medical facility information is maintained current with the GMDSS Operator. Provision for personal protective equipment and antidotes are provided as applicable to the types of cargoes carried. A standard medical report form in accordance with the flag State requirements is used. While in port, the ship’s agents provide local information regarding medical and dental facilities. Each ship receives guidance and relevant publications related to rendering assistance to other ships in distress. Medical evacuation equipment is placed on board and inspected in accordance with the ship’s maintenance routine. Repatriation guidance is provided to the master. Medical care service for the seafarers’ dependants is accessed through manning agency agreements.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

13. On-board complaint procedures (Regulation 5.1.5)

A formal complaint process is established. Complaints are handled in a timely manner. Seafarers may lodge complaints directly to the master of the ship, to the company’s designated representative or to the flag administration. Contact details of company representative and flag administration for registering a complaint are provided to each seafarer and posted on board. Complaints received and resolved on board are forwarded to the shore-side office for monitoring. Target dates for resolution are established. Complaints which cannot be resolved on board are escalated to higher levels of management. Each seafarer and the manning agency are provided with a copy of the complaint form and associated procedure. The procedure is posted on board in a public place. The master has been given clear instructions and guidance to ensure seafarers are not victimized for reporting complaints.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.
14. Payment of wages (Regulation 2.2)

Seafarer payment arrangements have been defined. Working hours and rest periods have been established and are tracked on board and reviewed at the company office at a monthly interval. Working hours are based upon flag State requirements and are incorporated into collective bargaining agreements. These agreements are provided to the seafarer. Overtime rates are one and one-quarter times the basic wage per hour unless the seafarer is salaried. Exchange rates are taken into consideration when payment is made. Payments are made to each seafarer at least monthly. Overtime for holidays and days of rest is calculated and paid with the regular wages. Seafarers are hired without discrimination. Wage information is translated into appropriate languages as needed. Final payment of wages is provided at time of sign off or within one month of termination to the seafarer’s address of record. Confidential payroll records are maintained shore-side. Allotments and deductions to wages are in accordance with the wishes of the seafarer or through legal wage attachments. Taxes are withheld in accordance with national regulations. Reasons for monetary fines, if any, are defined, provided to the seafarer, and posted on board. Corrective actions are applied where necessary with the view of preventing the need for these actions in the future. A slop chest is provided on board and items are sold to the seafarers at cost plus an agreed-upon administrative fee. A complaint procedure has been established, provided to the seafarer, and posted on board. Seafarer wages meet or exceed flag State minimum wage requirements.

Note: Reference to flag State requirements and shipowner’s management system procedures should be provided as appropriate.

I hereby certify that the above measures have been drawn up to provide ongoing compliance, between inspections, with the requirements listed in Part I.

Name of shipowner: 1.

......ALWAYSAFE LLC ............................................

Company address:

......1234 Main Street ............................................
......Alwaysafe, CT, USA 00001 ............................

Name of the authorized signatory

......James Alwaysafe ............................................

Title: ....President & CEO ......................................

Signature of the authorized signatory:

........................................................................

Date: ....1 October 2008..........................................

(Stamp or seal of the shipowner 1)

The above measures have been reviewed by (insert name of competent authority or duly recognized organization) and, following inspection of the ship, have been determined as meeting the purposes set out under Standard A5.1.3, paragraph 10(b), regarding measures to provide initial and ongoing compliance with the requirements set out in Part I of this Declaration.
Name: ............................................................................
Title: ................................................................................
Address: ...........................................................................
................................................................................
................................................................................
Signature: ...........................................................................
Place: ................................................................................
Date: ................................................................................
(Seal or stamp of the authority, as appropriate)

1 *Shipowner* means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organizations or persons fulfill certain of the duties or responsibilities on behalf of the shipowner. See Article II (1) (j) of the Convention
APPENDIX 2 Example, Maritime Labour Certificate

(Note: This Certificate shall have a Declaration of Maritime Labour Compliance attached)

Issued under the provisions of Article V and Title 5 of the Maritime Labour Convention, 2006 (referred to below as “the Convention”) under the authority of the Government of:

(full designation of the State whose flag the ship is entitled to fly)

by ...............................................................................................................................

(full designation and address of the competent authority or recognized organization duly authorized under the provisions of the Convention)

Particulars of the ship

Name of ship ..........................................................................................................................................................

Distinctive number or letters ................................................................................................................................

Port of registry .........................................................................................................................................................

Date of registry .........................................................................................................................................................

Gross tonnage\(^1\) .......................................................................................................................................................

IMO number ..........................................................................................................................................................

Type of ship ............................................................................................................................................................

Name and address of the shipowner\(^2\) .....................................................................................................................

\(^1\) For ships covered by the tonnage measurement interim scheme adopted by the IMO, the gross tonnage is that which is included in the REMARKS column of the International Tonnage Certificate (1969). See Article II (1) (c) of the Convention.

\(^2\) Shipowner means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organizations or persons fulfill certain of the duties or responsibilities on behalf of the shipowner. See Article II(1)(j) of the Convention.
Appendix 2  Example, Maritime Labour Certificate

This is to certify:

1. That this ship has been inspected and verified to be in compliance with the requirements of the Convention, and the provisions of the attached Declaration of Maritime Labour Compliance.

2. That the seafarers’ working and living conditions specified in Appendix A5-I of the Convention were found to correspond to the abovementioned country’s national requirements implementing the Convention. These national requirements are summarized in the Declaration of Maritime Labour Compliance, Part I.

This Certificate is valid until ............................... subject to inspections in accordance with Standards A5.1.3 and A5.1.4 of the Convention.

This Certificate is valid only when the Declaration of Maritime Labour Compliance issued at ................................................................. on ....................................................... is attached.

Completion date of the inspection on which this Certificate is based was ............................

Issued at ........................................ on ..........................................................

Signature of the duly authorized official issuing the Certificate
(Seal or stamp of issuing authority, as appropriate)

Endorsements for mandatory intermediate inspection and, if required, any additional inspection

This is to certify that the ship was inspected in accordance with Standards A5.1.3 and A5.1.4 of the Convention and that the seafarers’ working and living conditions specified in Appendix A5-I of the Convention were found to correspond to the abovementioned country’s national requirements implementing the Convention.

Intermediate inspection:
(to be completed between the second and third anniversary dates)

Signed ..........................................................
(Signature of authorized official)

Place..........................................................

Date ..........................................................
(Seal or stamp of the authority, as appropriate)

Additional endorsements (if required)

This is to certify that the ship was the subject of an additional inspection for the purpose of verifying that the ship continued to be in compliance with the national requirements implementing the Convention, as required by Standard A3.1, paragraph 3, of the Convention (re-registration or substantial alteration of accommodation) or for other reasons.
Appendix 2 Example, Maritime Labour Certificate

Additional inspection:
(if required)

Signed ..............................................................
(Signature of authorized official)

Place..............................................................

Date ..............................................................
(Seal or stamp of the authority, as appropriate)

Additional inspection:
(if required)

Signed ..............................................................
(Signature of authorized official)

Place..............................................................

Date ..............................................................
(Seal or stamp of the authority, as appropriate)

Additional inspection:
(if required)

Signed ..............................................................
(Signature of authorized official)

Place..............................................................

Date ..............................................................
(Seal or stamp of the authority, as appropriate)
APPENDIX 3  Examples of Procedural Topics Shipowners May Consider for Implementing the Requirements of the Maritime Labour Convention, 2006

1  Company Manuals and Procedures

The following are examples of manuals that a company might include in its management system in order to comply with the requirements of the International Labour Organization (ILO) Maritime Labour Convention (the Convention). The titles are representative of various subjects contained within the Convention and your company may have already incorporated them within manuals with different designations. Examples of the types of procedures related to the Convention that could be contained within these designated manuals are identified. These procedures have not been written and are not a part of these Guidance Notes.

For consistency and demonstration purposes, these manuals are integrated into the tables of the regulations included in this guide. These are easily recognizable as the “Sample Procedures” within Section 3 and used for the 14 parts of the Declaration of Maritime Labour Compliance, Part II.

As a suggestion, each company should consider indexing the requirements of the Convention to relevant procedures within their management system. This process serves two purposes. First, the company can verify that the requirements within the Convention are addressed in the management system. Second, auditing the requirements of the Convention, whether internally or by certifying bodies is significantly facilitated.

Agency Manual
- Employment Process with Manning Agents
- Monitoring and Auditing Manning Agencies
- Documents to Provide Manning Agencies
- Developing and Maintaining Emergency Contact Information for Manning Agencies

Deck Operations Manual
- Lifesaving and Firefighting Equipment
- Lifting Gear Identification and Inspections
Appendix 3 Examples of Procedural Topics Shipowners May Consider for Implementing the Requirements of the Maritime Labour Convention, 2006

Emergency Response Manual
- Assisting Vessels in Distress
- Emergency Response Training and Drills
- Medical Evacuation Procedures

Employment Manual
- Employment Age Verification Procedure
- Determining and Maintaining Lists of Qualified Medical Practitioners
- Seafarer Medical Examination Procedure
- Processing Seafarer Personal Data
- Employment Procedure Regarding Prevention of Discrimination
- Seafarer Disciplinary Procedures

Licensing Manual
- Seafarer License and Medical Certification and Expiration Tracking
- Seafarer Identification Documents

Manning and Recruiting Manual
- Competency Requirements for Seafarers
- Documents to Be Provided to Seafarers During Recruitment
- Termination of Seafarer Employment
- Ship Manning Requirements

Medical Manual
- Medical Care for Seafarers in Port
- Medical Supplies and Equipment
- Medical Treatment for Seafarers
- Death of a Seafarer

Management System Processes Manual
- Monitoring and Maintenance of Access to and Integration of Current Flag State and other Applicable Regulations
- Internal Auditing of the Management System
- Document Control
- Seafarer Complaint Procedure
- Job Descriptions
- Management of Change
- Management System Translation Procedure
- Corrective and Preventive Action Procedure
- Incident Reporting and Statistics
- Records Retention
Appendix 3  Examples of Procedural Topics Shipowners May Consider for Implementing the Requirements of the Maritime Labour Convention, 2006

Maintenance Manual
- International Labour Organization Ship Inspections
- Noise and Vibration Survey Procedure
- Accommodations Inspections
- Food and Drinking Water Spaces and Equipment Inspection

Operations Manual
- Ship Scheduling Procedure
- Seafarers Stranded in Foreign Ports
- Slop Chest and Ship Services to Seafarers Procedure
- Hours of Work and Rest
- Responsibility and Authority of the Master
- Procedure for Vessel Required to Sail Short of Full Complement of Seafarers
- Food and Drinking Water Requirements
- Personal Protective Equipment (PPE)
- Respiratory Protection
- Handling Hazardous Materials
- Risk Assessment
- Permit to Work (PTW) System
- Working in Enclosed Spaces
- Waste Management
- Safety Committees and Safety Meetings
- Care and Use of Recreational Facilities
- Ship’s Agents
- Shipyarding
- Recreational Facilities on Board

Payroll Manual
- Seafarer Compensation Criteria During Recruitment
- Seafarer Compensation Procedure
- Payroll Deductions Procedure
- Seafarer Leave Calculations
- Seafarer Benefits
- Seafarer Repatriation
- Seafarer Holidays and Days of Rest
- Payroll Distribution Option Procedure
- Cost of Living Adjustments
Training Manual

- Seafarer On-board Familiarization Process
- Behavioral-Based Safety
- Asbestos Handling
Appendix 4: Definitions

1 Definitions

The definitions listed in this Appendix are from the Maritime Labour Convention, 2006 unless specified otherwise.

*able seafarer* Any seafarer who is deemed competent to perform any duty which may be required of a rating serving in the deck department, other than the duties of a supervisory or specialist rating, or who is defined as such by national laws, regulations or practice, or by collective agreement [Title 2, Regulation 2.2, Guideline B2.2.1 (a)]

*accommodation* Includes such sleeping rooms, mess rooms, sanitary, hospital and recreation accommodations as provided for the use of the crew [ILO Convention No. 92, Accommodation of Crews Convention]

*anniversary date* The day and month of each year that corresponds to the date of expiry of the relevant document or certificate [ISM Code, 1.1.11]

*basic pay or wages* The pay, however composed, for normal hours of work; it does not include payments for overtime worked, bonuses, allowances, paid leave or any other additional remuneration [Title 2, Regulation 2.2, Guideline B2.2.1 (b)]

*company* The owner of the ship or other organization or person such as the manager, or bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who on assuming such responsibility has agreed to take over all the duties and responsibility imposed by the Code [ISM Code, 1.1.2] (See also *shipowner*)

*competent authority* The minister, government department or other authority having power to issue and enforce regulations, orders or other instructions having the force of law in respect of the subject matter of the provision concerned [Article II, paragraph 1(a)]

*consolidated wage* A wage or salary which includes the basic pay and other pay-related benefits; a consolidated wage may include compensation for all overtime hours which are worked and all other pay-related benefits, or it may include only certain benefits in a partial consolidation [Title 2, Regulation 2.2, Guideline B2.2.1 (c)]

*continual improvement* Recurring process of enhancing the management system in order to achieve improvements in overall performance consistent with the organization’s policy [USI 14001]

*Convention* The Maritime Labour Convention, 2006 (for the purposes of these ABS Guidance Notes)
**correction action**  Action to eliminate the cause of a detected nonconformity [ISO 14001]

**crew**  Seafarers, other than the master, working on the ship [Accident prevention on board ship at sea and in port, 1.3.1 (c), ILO]

**crewmember**  Any person at the service of the shipowner who works on board a vessel and shares the risks of work at sea, and whose duties are related to navigation, operation, services, and economic exploitation of the vessel.

Persons who work for companies having their own other economic organization, or those who normally provide to shipowners ancillary services different from the exploitation of the ship, shall not have the status of crewmembers of a specific vessel [Panama, Law Decree No. 8, Article 3]

**DMLC, Declaration of Maritime Labour Compliance**  The declaration referred to in Regulation 5.1.3 [Article II, paragraph 1(b)] of the Maritime Labour Convention. The DMLC shall be attached to the Maritime Labour Certificate. It shall have two parts:

- Part I shall be drawn up by the competent authority identifying the list of matters to be inspected, the relevant national requirements, ship-type specific requirements under national legislation, any substantially equivalent provisions, and any exemption granted by the competent authority

- Part II shall be drawn up by the shipowner and shall identify the measures adopted to ensure ongoing compliance with the national requirements between inspections and the measures proposed to ensure that there is continuous improvement.

The competent authority or recognized organization duly authorized for this purpose shall certify Part II and shall issue the Declaration of Maritime Labour Compliance.

**document**  Information and its supporting medium [ISO 140001]

**duly qualified medical practitioner**  A medical practitioner recognized by the competent authority as qualified to issue a medical certificate [Title 1, Regulation 1.2.4]

**excessive vibration**  The recommended maximum vibration levels of maximum weighted root-mean-square acceleration level is 0.5 m/s². [ABS Guide for Crew Habitability on Workboats]

**exposure limit**  An exposure level specified or recommended by a competent authority to limit injury to health. It is used as a general term and covers the various expressions employed in national lists, such as “maximum allowable concentration”, “threshold limit value”, “permissible level”, “limit value”, “average limit value”, “permissible limit”, “industrial hygiene standards”, “occupational exposure limit”, etc. [Ambient Factors in the Workplace, 1.3.1, ILO]

**Global Maritime Distress and Safety System (GMDSS)**  A global communications service based upon automated systems, both satellite-based and terrestrial, to provide distress alerting and promulgation of maritime safety information for mariners [IAMSAR, Manual, 2006, Volume I, page x]
Appendix 4  Definitions

**gross tonnage**
The gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any successor Convention; for ships covered by the tonnage measurement interim scheme adopted by the International Maritime Organization, the gross tonnage is that which is included in the REMARKS column of the International Tonnage Certificate (1969) [Article II, paragraph 1(c)]

**hazard**
Inherent potential of an ambient factor to cause illness or injury from exposure to it [Ambient Factors in the Workplace, 1.3.1, ILO]

**hazard assessment**
Systematic evaluation of the intrinsic properties of ambient factors, including the extent of the inherent potential to cause illness or injury [Ambient Factors in the Workplace, 1.3.1, ILO]

**hazardous ambient factor**
Any factor in the workplace which may in some or all normal conditions adversely affect the safety and health of the worker or other person [Ambient Factors in the Workplace, 1.3.1, ILO]

**hours of rest**
Time outside hours of work; this term does not include short breaks [Title 2, Regulation 2.3, Standard A2.3(b)]

**hours of work**
Time during which seafarers are required to do work on account of the ship [Title 2, Regulation 2.3, Standard A2.3(a) and Title 2, Regulation 2.2, Guideline B2.2.1 (d)]

**internal audit**
Systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the management system audit criteria set by the organization are fulfilled [ISO 14001, adapted]

**international voyage**
A voyage from a country to a port outside such a country [Title 5, Regulation 5.1.3, paragraph 1]

**ISM Code**
“International Safety Management (ISM) Code” means the International Management Code for the Safe Operation of Ships and for Pollution Prevention as adopted by the Assembly, as may be amended by the Organization. [ISM Code, 1.1.1]

**Maritime Labour Certificate**
The certificate referred to in Regulation 5.1.3 [Article II, paragraph 1(d)] of the Maritime Labour Convention, 2006

**Member**
A Member is comprised of three separate representatives from the various States (countries) that have elected to be a part of the International Labour Organization. Two government delegates, an employer delegate, and a worker delegate represent each Member State. [ILO web site, “How the ILO Works”, Retrieved from http://www.ilo.org/global/About_the_ILO/Structure/lang--en/index.htm]

**nonconformity**
An observed situation where objective evidence indicates the non-fulfillment of a specified requirement [ISM Code, 1.1.9]

**officer**
One who is ranked as an officer by national laws or regulations [Accident prevention on board ship at sea and in port, 1.3.1 (d), ILO]

**overtime**
Time worked in excess of the normal hours of work [Title 2, Regulation 2.2, Guideline B2.2.1 (e)]
**personal protective equipment**

Includes but is not limited to protective clothing, safety helmets, eye and face protection, hearing protection, gloves, safety footwear, lifelines, safety harnesses, breathing apparatus and respirators, as appropriate. [Accident prevention on board ship at sea and in port, 1.3.1 (e), ILO]

**preventive action**

Action to eliminate the cause of a potential nonconformity [ISO 14001]

**rating**

A competent member of the crew other than an officer [Accident prevention on board ship at sea and in port, 1.3.1 (f), ILO]

**record**

Document stating results achieved or providing evidence of activities performed [ISO 14001]

**recreational facility**

This term, while not specifically defined, is identified through representative examples outlined in the Convention.

- a space or spaces on open deck to which the seafarers can have access when off duty [Convention, A3.1.14]
- bookcase and facilities for reading, writing and, where practicable, games [Convention, B3.1.11.2]
- canteen [Convention, B3.1.11.3]

[The following spaces from the Convention, B3.1.11.4]

(a) a smoking room;

(b) television viewing and the reception of radio broadcasts;

(c) showing of films, the stock of which should be adequate for the duration of the voyage and, where necessary, changed at reasonable intervals;

(d) sports equipment including exercise equipment, table and deck games;

(e) where possible, facilities for swimming;

(f) a library containing vocational and other books, the stock of which should be adequate for the duration of the voyage and changed at reasonable intervals;

(g) facilities for recreational handicrafts;

(h) electronic equipment such as a radio, television, video recorders, DVD/CD player, personal computer and software and cassette recorder/player;

(i) where appropriate, the provision of bars on board for seafarers unless these are contrary to national, religious or social customs; and

(j) reasonable access to ship-to-shore telephone communications, and email and Internet facilities, where available, with any charges for the use of these services being reasonable in amount.

**requirements of this Convention**

Refers to the requirements in these Articles and in the Regulations and Part A of the Code of this Convention [Article II, paragraph 1(e)]

**risk**

Likelihood that exposure to a hazardous ambient factor will cause illness or injury [Ambient Factors in the Workplace, 1.3.1, ILO]
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>risk analysis</strong></td>
<td>Is the process of understanding (1) what undesirable events can happen (2) how likely they are to happen and (3) how severe the effects may be. More precisely, it is an integrated array of analytical techniques, e.g., availability and maintainability engineering, human behavior, that can successfully integrate diverse aspects of design and operation in order to assess risk. [ABS Guide for Risk Evaluations for the Classification of Marine-Related Facilities]</td>
</tr>
<tr>
<td><strong>risk assessment</strong></td>
<td>Includes a risk analysis, but it also involves the process by which the results from the risk analysis are considered against judgment, standards or criteria [ABS Guide for Risk Evaluations for the Classification of Marine-Related Facilities]</td>
</tr>
<tr>
<td><strong>risk management</strong></td>
<td>Risk management is the human activity which integrates recognition of risk, risk assessment, developing strategies to manage it, and mitigation of risk using managerial resources. [Wikipedia]</td>
</tr>
<tr>
<td><strong>Safety Officer</strong></td>
<td>An officer designated by the shipowner or the master as being responsible for carrying out certain tasks associated with shipboard safety and health [Accident prevention on board ship at sea and in port, 1.3.1 (h), ILO]</td>
</tr>
<tr>
<td><strong>safety policy</strong></td>
<td>A written document produced by the shipowner indicating in broad terms his commitment, aims, and objectives [Accident prevention on board ship at sea and in port, 1.3.1 (i), ILO]</td>
</tr>
<tr>
<td><strong>safety program</strong></td>
<td>A detailed plan designed to implement the ideals and intentions expressed in the safety policy [Accident prevention on board ship at sea and in port, 1.3.1 (j), ILO]</td>
</tr>
<tr>
<td><strong>safety representative</strong></td>
<td>A member of the crew elected or appointed by and from the members of the crew to serve on the shipboard safety and health committee [Accident prevention on board ship at sea and in port, 1.3.1 (k), ILO]</td>
</tr>
<tr>
<td><strong>search and rescue plan</strong></td>
<td>A general term used to describe documents which exist at all levels of the national and international search and rescue structure to describe goals, arrangements, and procedures which support the provision of search and rescue services [IAMSAR, Manual, 2006, Volume I, page xi]</td>
</tr>
<tr>
<td><strong>search and rescue service</strong></td>
<td>The performance of distress monitoring, communication, coordination and search and rescue functions, including provision of medical advice, initial medical assistance, or medical evacuation, through the use of public and private resources, including cooperating aircraft, vessels, and other craft and installations [IAMSAR, Manual, 2006, Vol. I, page xi]</td>
</tr>
<tr>
<td><strong>seafarer</strong></td>
<td>Any person who is employed or engaged or works in any capacity on board a ship to which this Convention applies [Article II, paragraph 1(f)]</td>
</tr>
<tr>
<td><strong>seafarers’ employment agreement</strong></td>
<td>Includes both a contract of employment and articles of agreement [Article II, paragraph 1(g)]</td>
</tr>
<tr>
<td><strong>seafarer recruitment and placement service</strong></td>
<td>Any person, company, institution, agency or other organization, in the public or the private sector, which is engaged in recruiting seafarers on behalf of shipowners or placing seafarers with shipowners [Article II, paragraph 1(h)]</td>
</tr>
</tbody>
</table>
Appendix 4 Definitions

**ship**
A ship other than one which navigates exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas where port regulations apply [Article II, paragraph 1(i)]

**shipboard safety and health committee**
A committee which examines and deals with all aspects of shipboard safety and health related issues [Accident prevention on board ship at sea and in port, 1.3.1 (l), ILO]

**ship’s cook**
A trained and qualified seafarer with responsibility for food preparation [Title 3, Regulation 3.2]

**shipowner**
The owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organization or persons fulfill certain of the duties or responsibilities on behalf of the shipowner [Article II, paragraph 1(j)] (See also Company)

Any natural or legal person who receives services or labor from the worker or crewmember [Panama, Law Decree No. 8, Article 3]

**slop chest**

**station bill**
A bill posted in the crew’s quarters and other conspicuous places, listing the station of the crew at maneuvers and emergency drills; sometimes called the muster roll. [FM 55-501 Marine Crewman’s Handbook]

**surveillance of the working environment**
Generic term which includes the identification and evaluation of environmental factors which may adversely affect workers’ health. It covers assessments of sanitary and occupational hygiene conditions, factors in the organization of work which may pose hazards or risks to the safety and health of workers, collective and personal protective equipment, exposure of workers to hazardous agents and control systems to eliminate or reduce them. [Ambient Factors in the Workplace, 1.3.1, ILO]

**vessel**
Any vessel used for the transportation of cargo or passengers. These include pontoons, dredges, floating docks or any other hull made from wood, cement, iron, steel, or a combination of materials, or any other material that is or may be used to provide shipping services. [Panama, Law Decree No. 8, Article 3]

**vessel’s crew**
It is made up of the personnel enrolled to provide services, who are given the status of crewmembers. [Panama, Law Decree No. 8, Article 3]

**vibration**
The variation with time of the magnitude of a quantity which is descriptive of the motion or position of a mechanical system, when the magnitude is alternately greater and smaller than some average value. [ABS Guide for Crew Habitability on Ships]
**weighted root-mean-square acceleration level**
The weighted root-mean-square (rms) acceleration $a_w$, in meters-per-second squared, is defined by the expression:

$$ a_w = \sqrt{\frac{1}{T} \int_0^T a_w^2(t) dt} $$

where $a_w(t)$ is the weighted acceleration as a function of time in meters-per-second squared (m/s$^2$) and $T$ is the duration of the measurement in seconds. [ABS Guide for Crew Habitability on Ships]

**whole-body vibration**
Mechanical vibration (or shock) transmitted to the human body as a whole. Whole-body vibration is often due to the vibration of a surface supporting the body. [ABS Guide for Crew Habitability on Ships, and ABS Guide for Crew Habitability on Workboats]

**workers’ health surveillance**
Generic term which covers procedures and investigations to assess workers’ health in order to detect, identify and quantify any abnormality and to protect and promote the health of the individual, collective health at the workplace, and the health of the exposed working population. Health assessment procedures may include, but are not limited to, medical examinations, biological monitoring, radiological examinations, questionnaires or a review of health records. [Ambient Factors in the Workplace, 1.3.1, ILO]
## Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>COI</td>
<td>Certificate of Inspection (United States)</td>
</tr>
<tr>
<td>COLREGS</td>
<td>Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended</td>
</tr>
<tr>
<td>DMLC</td>
<td>Declaration of Maritime Labour Compliance</td>
</tr>
<tr>
<td>EmS</td>
<td>Emergency Procedures for Ships Carrying Dangerous Goods</td>
</tr>
<tr>
<td>EPIRB</td>
<td>Emergency Position-Indicating Radio Beacon</td>
</tr>
<tr>
<td>GMDSS</td>
<td>Global Maritime Distress and Safety System</td>
</tr>
<tr>
<td>GPS</td>
<td>Global Positioning System</td>
</tr>
<tr>
<td>IACS</td>
<td>International Association of Classification Societies</td>
</tr>
<tr>
<td>IAEA</td>
<td>International Atomic Energy Agency</td>
</tr>
<tr>
<td>IAMSAR</td>
<td>International Aeronautical and Maritime Search and Rescue Manual</td>
</tr>
<tr>
<td>ICAO</td>
<td>International Civil Aviation Organization</td>
</tr>
<tr>
<td>ICS</td>
<td>International Chamber of Shipping</td>
</tr>
<tr>
<td>IGC Code</td>
<td>International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>IMDG Code</td>
<td>International Maritime Dangerous Goods Code</td>
</tr>
<tr>
<td>IMO</td>
<td>International Maritime Organization</td>
</tr>
<tr>
<td>INF Code</td>
<td>Safe Carriage of Irradiated Nuclear Fuel, Plutonium, and High-Level Radioactive Wastes in Flasks on board Ships</td>
</tr>
<tr>
<td>Inmarsat</td>
<td>Satellite communication service provider for the GMDSS</td>
</tr>
<tr>
<td>ISF</td>
<td>International Shipping Federation</td>
</tr>
<tr>
<td>ISM Code</td>
<td>International Safety Management Code</td>
</tr>
<tr>
<td>ITF</td>
<td>International Transport Workers’ Federation</td>
</tr>
<tr>
<td>ITU</td>
<td>International Telecommunication Union</td>
</tr>
<tr>
<td>LES</td>
<td>Land Earth Station</td>
</tr>
<tr>
<td>MLC</td>
<td>Maritime Labour Convention, 2006</td>
</tr>
<tr>
<td>MRCC</td>
<td>Mass Rescue Coordination Center</td>
</tr>
<tr>
<td>MRO</td>
<td>Mass Rescue Operation</td>
</tr>
</tbody>
</table>
### Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>MSI</td>
<td>Maritime Safety Information</td>
</tr>
<tr>
<td>MSMC</td>
<td>Minimum Safe Manning Certificate</td>
</tr>
<tr>
<td>OECD/NEA</td>
<td>Nuclear Energy Agency of the Organisation for Economic Cooperation and Development</td>
</tr>
<tr>
<td>PLB</td>
<td>Personal Locator Beacon</td>
</tr>
<tr>
<td>PSC</td>
<td>Port State control</td>
</tr>
<tr>
<td>PSCO</td>
<td>Port State control officer</td>
</tr>
<tr>
<td>PUMS</td>
<td>Periodically Unmanned Machinery Spaces (Liberia)</td>
</tr>
<tr>
<td>RO</td>
<td>Recognized Organization</td>
</tr>
<tr>
<td>SAR</td>
<td>Search and Rescue</td>
</tr>
<tr>
<td>SEA</td>
<td>New Seafarer’s Electronic Application (Liberia)</td>
</tr>
<tr>
<td>SID</td>
<td>Seafarers’ Identity Document</td>
</tr>
<tr>
<td>SMM</td>
<td>Safety Management Manual</td>
</tr>
<tr>
<td>SOLAS</td>
<td>International Convention for the Safety of Life at Sea, 1974, as amended</td>
</tr>
<tr>
<td>STCW</td>
<td>International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended</td>
</tr>
<tr>
<td>TWIC</td>
<td>Transportation Workers Identification Credential (United States)</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organization</td>
</tr>
</tbody>
</table>
APPENDIX 6  Cross-references Between Maritime Labour Convention and Selected Flag State Regulations

1  Background

1.1  Purpose

This Appendix presents a cross-reference of selected flag State regulations and the individual Convention Regulations identified at the time of publication for incorporation into these Guidance Notes. The list presented here is intended for guidance only since regulations are modified from time to time, and additional regulation added. It is the responsibility of the shipowner to conduct a thorough research into flag State, national, and international regulations to identify all applicable requirements related to the Convention and to incorporate them into the company’s management system as appropriate.
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 1.1 Minimum age

Bahamas

Bahamas Merchant Shipping Act
- Paragraph 78: Signature of contracts and indentures
- Paragraph 84: Employment of children and young persons

Cyprus

- The Merchant Shipping (Registration of Seafarers and Seafarers’ Register) Law of 2000 (Law 108(I)/2000)
- Merchant Shipping (Masters and Seamen) Laws, 1963 to 2002 [Part II - Composition of Personnel of a Ship (Safe Manning) - Certificates of Maritime Competency]

Circulars¹:
- 25.06.1981: Engagement of Cypriots on board Cyprus Ships
- 11.01.1983: Engagement of unemployed Cypriot seamen
- 18.09.1985: Ratification by Cyprus of the STCW Convention. / Implementation [(1)]
- 14.01.1994: Certificates of Competency recognised by the Government of the Republic of Cyprus-Croatia [(1)]
- 24.01.1995: Ratification by the Republic of Cyprus of the ILO No. 58 Convention fixing the Minimum Age for the Admission of Children to Employment at Sea (Revised 1936) Ratification Law 8(III)/94

Liberia

- Liberia RLM-107, Chapter 10, Section 326
- Liberia RLM-108, Section 10.326
- Liberia, RLM-300, ADM-006, Familiarization with Liberian National Maritime Legislation

Malta

- Chapter 234, Merchant Shipping Act
  - Part IV, Masters and seamen, Conditions for admission to employment, paragraph 106, 114, 122C

Merchant Shipping Directorate

- MSD Notice No. 49, Merchant Shipping (Medical Stores) Regulations, 2002;
  Merchant Shipping (Medical Examination) (Amendment) Regulations, 2002;
  Merchant Shipping (Minimum Wage) Regulations, 2002

¹ Cypriot Footnotes: (Note that Cypriot dates are in day.month.year format)
[1]: indicates that the circular is superseded/or amended by a more recent circular.

Continued on next page
Appendix 6  Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 1.1 Minimum age, Continued

**Marshall Islands**

Marine Notices
- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands

MI-300: The Republic of the Marshall Islands Combined Publications Folder
- MI-107: The Maritime Act, 1990, as amended
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 826, Minimum age at sea
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations

MI-108: Maritime Regulations
- Chapter 7 (Merchant Seafarers), 7.49, Register of Children

MI-118: Requirements for Merchant Marine Personnel Certification
- 2.10.1, Age

**Panama**

None identified at time of publication

**United Kingdom**

Statutory Instruments
- 2002- No. 2055: The Merchant Shipping (Medical Examination) Regulations 2002
- 2004 No. 1469: The Merchant Shipping (Hours of Work) (Amendment) Reg. 2004
- 2005 No. 1919: The Merchant Shipping (Medical Examination) (Amendment) Regulations 2005

Merchant Shipping Act 1995 (c.21)
- 55: Young Persons

**United States**

- 46 CFR 10: Subchapter B – Merchant Marine Officers and Seamen: Licensing of maritime personnel
- 46 CFR 12: Subchapter B – Merchant Marine Officers and Seamen: Certification of seamen
- 46 CFR 13: Subchapter B – Merchant Marine Officers and Seamen: Certification of tankermen
- 46 CFR 14: Subchapter B – Merchant Marine Officers and Seamen: Shipment and discharge of merchant mariners
- 46 CFR 15: Subchapter B – Merchant Marine Officers and Seamen: Manning requirements
Appendix 6  Cross-references Between Maritime Labour Convention and Selected Flag States

Regulation 1.2  Medical certificate

Bahamas
- Bahamas Bulletin 27, Medical Examinations
- Bahamas Merchant Shipping, (Medical Examination) Regulations 1983

Cyprus
- The Merchant Shipping (Medical Examination of Seafarers and Issue of Certificates) law of 2000 (Law 107(1)/2000)
- Merchant Shipping (Masters and Seamen) Laws, 1963 to 2002 [Part II - Composition of Personnel of a Ship (Safe Manning) - Certificates of Maritime Competency];

Circulars²
- 25.06.1981: Engagement of Cypriots on board Cyprus Ships
- 11.01.1983: Engagement of unemployed Cypriot seamen
- 18.09.1985: Ratification by Cyprus of the STCW Convention. / Implementation [(1)]
- 14.01.1994: Certificates of Competency recognised by the Government of the Republic of Cyprus-Croatia [(1)]
- 29.6.2001 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, STCW 78, as amended- Issue of seafarer’s identification and Sea service Record Books and Endorsements Attesting the Recognition of non-Cyprus Certificate

Liberia
- Liberia, RLM 108, Sections 1.17 and 10.325
- Liberia, RLM-118, Section 2.10

Malta
- Chapter 234, Merchant Shipping Act
  - Part IV, Masters and seamen, Conditions for admission to employment, paragraph 108

Merchant Shipping Directorate
- MSD Notice No. 43, Recognition of non-Malta Certificates of Competence for Service on Maltese Ships
- MSD Notice No. 49, Merchant Shipping (Medical Stores) Regulations, 2002; Merchant Shipping (Medical Examination) (Amendment) Regulations, 2002; Merchant Shipping (Minimum Wage) Regulations, 2002

Subsidiary Legislation
- 234.23, Merchant Shipping (Medical Examination) Regulations

² Cypriot Footnotes: (Note that Cypriot dates are in day.month.year format)
[1]: indicates that the circular is superseded/or amended by a more recent circular.
### Regulation 1.2 Medical certificate, Continued

<table>
<thead>
<tr>
<th>Marshall Islands</th>
<th>Marine Notices</th>
</tr>
</thead>
<tbody>
<tr>
<td>• No. 1-000-2, Official and Other Forms and Publications</td>
<td></td>
</tr>
<tr>
<td>• No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands</td>
<td></td>
</tr>
<tr>
<td>• No. 5-034-1, Safety Inspections of Marshall Islands Ships</td>
<td></td>
</tr>
<tr>
<td>• No. 5-034-2, Alternate Safety Inspection Program</td>
<td></td>
</tr>
</tbody>
</table>

**Marine Safety Advisories**

- • No. 26-02, Marshall Islands Required Officer and Crewe Documentation
- **MI-300**: The Republic of the Marshall Islands Combined Publications Folder
- **MI-100**: Vessel Registration and Mortgage Recording Procedures
  - • Chapter VII (Yacht Registration), Section 1 (Commercial Yachts), paragraph E.8: Seafarer STW Certification
- **MI-103A**: Safety Code of Practice for Large Yachts
  - • 26.4, Medical Fitness Certificates
  - • Annex 10, Certificate of Medical Fitness
- **MI-103B**: Safety Code of Practice for Small Yachts
  - • Annex 7, Certificate of Medical Fitness
- **MI-107**: The Maritime Act, 1990, as amended
  - • Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 825, Required documents for seafarers
- **MI-108**: Maritime Regulations
  - • Chapter 7 (Merchant Seafarers), 7.47.4, Medical Certificates
- **MI-118**: Requirements for Merchant Marine Personnel Certification
  - • 2.10.3, Physical Examination
  - • 6.2.3, (How to Apply), Physical Examination
  - • Form MI-105M, Physical Examination Report/Certificate

<table>
<thead>
<tr>
<th>Panama</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Panama Circular 44, Medical Certificate</td>
</tr>
<tr>
<td>• Panama, Law Decree No. 8, Chapter 2, Vessels’ Crews</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>United Kingdom</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Statutory Instruments</strong></td>
</tr>
<tr>
<td>• 2002- No. 2055: The Merchant Shipping (Medical Examination) Regulations 2002</td>
</tr>
<tr>
<td>• 2005 No. 1919: The Merchant Shipping (Medical Examination) (Amendment) Regulations 2005</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>United States</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 46 CFR 10: Subchapter B – Merchant Marine Officers and Seamen: Licensing of maritime personnel</td>
</tr>
<tr>
<td>• 46 CFR 12: Subchapter B – Merchant Marine Officers and Seamen: Certification of seamen</td>
</tr>
<tr>
<td>• 46 CFR 13: Subchapter B – Merchant Marine Officers and Seamen: Certification of tankermen</td>
</tr>
</tbody>
</table>
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 1.3 Training and qualifications

Bahamas

Bahamas Bulletins:
- 15, Ship and Officers Radio Licenses
- 26, Ship’s Cooks
- 30, References to STCW 95 in certificates, endorsements and other documents
- 31, The Bahamas Acknowledgement of Receipt of an Application of an Application for a Flag State Endorsement issued under the provisions of STCW I/10.5
- 35, Certificate of Proficiency in Survival Craft and Rescue Boats
- 41, Revision of Rating Qualifications
- 44, Bahamas Endorsements issued under STCW 1978 as amended, Regulation I/10
- 45, Amended Changes for Safe Manning Documents, Certificates of Competency, Flag State Endorsement and Seaman’s Record Books
- 46, Basic Sea Training: STCW 1978 as amended Chapter VI/1
- 61, Issue of Endorsement to Certificate of Competency
- 68, Seaman’s Record Books
- 77, Bahamas Requirements for the Issue of Flag State Endorsements and Certificates to Personnel on Mobile Offshore Units (MOUs)
- 83, Tanker Training Certificates and Endorsements
- 86, Approval of Training Centres and Courses
- 88, Procedures for Issue of Appropriate Certificates (Certificates of Competency) Under Regulation II and III by the BMA
- 89, Competent Person Carrying Out Duties in Connection with Inspection, Maintenance and Testing of Ships’ Appliances and Equipment

Bahamas Merchant Shipping (Training, Certification, Manning and Watchkeeping) Regulations 1988

Bahamas Merchant Shipping Act Sections
- 68, Grades of certificates of competency
- 69, Examinations for certificates of competency, and foreign certificates
- 70, Offences relating to certificates of competency
- 71, Record of certificates of competency
- 72, Loss of certificate

Cyprus

- Merchant Shipping (Masters and Seamen) Laws, 1963 to 2002 [Part II - Composition of Personnel of a Ship (Safe Manning) - Certificates of Maritime Competency]

Continued on next page
Regulation 1.3  Training and qualifications, Continued

<table>
<thead>
<tr>
<th>Circulars</th>
</tr>
</thead>
</table>
| • 25.06.1981: Engagement of Cypriots on board Cyprus Ships  
| • 11.01.1983: Engagement of unemployed Cypriot seamen  
| • 21.05.1985: Global Cooperation for the training of Maritime Personnel  
| • 18.09.1985: Ratification by Cyprus of the STCW Convention. / Implementation [(1)]  
| • 11.12.1989: Certificates of Competency recognized by the Government of the Republic of Cyprus [(1),(3)]  
| • 14.01.1994: Certificates of Competency recognised by the Government of the Republic of Cyprus-Croatia [(1)]  
| • 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95  
| • 8.07.1996: Certificates of Competency recognised by the Government of the Republic of Cyprus-Latvia/Czech Republic/Slovak Republic/Belgium/Togo [(1)]  
| • 7.11.1996: Certificates of Competency recognised by the Government of the Republic of Cyprus – Maldives [(1)]  
| • 17.12.1996: Certificates of Competency recognised by the Government of the Republic of Cyprus – Colombia [(1)]  
| • 10.01.1997: Certificates of Competency recognised by the Government of the Republic of Cyprus - Cape Verde [(1)]  
| • 27.01.1997: International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)-1995 Amendments [(1)]  
| • 13.02.1997: STCW Convention - 1995 Amendments - Special requirements for Ro/Ro Passenger ships [(1)]  
| • 2.06.1997: Certificates of Competency recognised by the Government of the Republic of Cyprus - Ivory Coast [(1)]  
| • 27.11.1997: Certificates of Competency recognized by the Government of the Republic of Cyprus - Chile & Ukraine  
| • 15.1.1998: Radio License and Document of Safe Manning for Ships provided with GMDSS radio installation  
| • 23.03.1999: Special training program for catering and other personnel on board passenger and ro-ro passenger ships not employed or engaged in any capacity as part of the ship’s compliment with designated safety or pollution duties in the operation of the ship  
| • 17.06.1999: Special training program for catering and other personnel on board passenger and ro-ro passenger ships not employed or engaged in any capacity as part of the ship/s compliment with designated safety or pollution duties in the operation of the ship

---

3 Cypriot Footnotes: (Note that Cypriot dates are in day.month.year format)  
[1]: indicates that the circular is superseded/or amended by a more recent circular.  
[3]: indicates that the circular is also addressed/or copied to all Cyprus Consuls. Since 1993 all circulars addressed to the Owners, Managers and Representatives of Ships under the Cyprus flag are also copied to all Cyprus Consuls.

---

Continued on next page
Regulation 1.3 Training and qualifications, Continued

Cyprus (continued)

- 5.2.2001: International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, STCW 78, as amended- “White list”
- 27.11.2001: International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, STCW 78, as amended- Issue of seafarer’s identification and Sea service Record Books and Endorsements attesting the recognition of non-Cyprus Certificates of Competency
- 29.01.2002: International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, STCW 78, as Amended- Issue of Seafarer’s Identification and Sea Service Record Books and Endorsements Attesting the Recognition of Non-Cyprus Certificates of Competency

Liberia

- RLM-108, Section 1.17
- RLM-118, Requirements for Merchant Marine Personnel Certification
- RLM-300, SEA-003, Approval of Maritime Training Center Courses and Programs
- Policy Letter: New Terms and Procedures from STCW 78, as Amended (Policy Letter)

Malta

- Chapter 49, Radiocommunications Act, Part II
- Chapter 234, Merchant Shipping Act
  - Part IV, Masters and seamen, paragraphs 89-206
  - Part IV, Identity cards, paragraphs 195-203
  - Part V, Rules as to construction, equipment and safety, paragraph 209
- Chapter 352, Malta Maritime Authority Act
  - Part I, Constitution, Composition and Functions of the Authority, paragraph 6

Merchant Shipping Directorate

- MSD Notice No. 27, Information on issuing Authority of certificates of competency of masters, officers and radio operators serving on Maltese ships
- MSD Notice No. 43, Recognition of non-Malta Certificates of Competence for Service on Maltese Ships

Subsidiary Legislation

- 234.23, Merchant Shipping (Medical Examination) Regulations
- Malta Maritime Authority Act (Cap. 352), Commercial Vessels Regulations, 2002
- 49.04, Wireless Telegraphy (Certificates of Operators) Regulations

Continued on next page
Regulation 1.3 Training and qualifications, Continued

Marshall Islands

Marine Guidelines
- No. 1-04-1, Examination System for Merchant Marine Personnel
- No. 2-11-3, Guidelines on the Basic Elements of a Shipboard Occupational Health and Safety Program
- No. 5-34-1, Self-Inspection Program

Marine Notices
- No. 1-000-2, Official and Other Forms and Publications
- No. 1-000-3, Requirements on Carriage of Publications on Board Ships
- No. 1-004-1, Familiarization with Marshall Islands national maritime Legislation
- No. 1-004-2, Reporting Certificate Fraud and professional and Technical Incompetence
- No. 1-005-1, Consolidated List of Fees and Charges for Official Documents and Services
- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
- No. 5-034-1, Safety Inspections of Marshall Islands Ships
- No. 7-047-1, STCW Seafarer Certification, Training and Rest Periods
- No. 7-047-2, Approval of Maritime Training Centers, Course and Programs

Marine Safety Advisories
- No. 1-02, STCW 95 Certification and Endorsements after 1 February 2002
- No. 4-05, GMDSS Operator Ability and Knowledge
- No. 8-01, STCW 95 Seafarer Certification
- No. 26-02, Marshall Islands Required Officer and Crewe Documentation

MI-300: The Republic of the Marshall Islands Combined Publications Folder
- MI-100: Vessel Registration and Mortgage Recording Procedures
  - Chapter VI (Yacht Registration), Section 1 (Commercial Yachts), paragraph E.3: Ship Radio Station License
  - Chapter VII (Yacht Registration), Section 1 (Commercial Yachts), paragraph E.8: Seafarer STW Certification
  - Chapter VII (Yacht Registration), Section 2 (Private Yachts), paragraph L.3: Radio Station License
  - Chapter VII (Yacht Registration), Section 2 (Private Yachts), paragraph L.6: Seafarer Certification
- MI-103A: Safety Code of Practice for Large Yachts
  - 16.0 (Radio), 16.1, General
  - 16.2.7, Radio Personnel
  - 22.7, Training Manual
  - 26.0, Manning and Certification
- MI-103B: Safety Code of Practice for Small Yachts
  - 22.8, Training Manual
  - 26.0, Manning

Continued on next page
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

**Regulation 1.3 Training and qualifications, Continued**

**Marshall Islands (continued)**

- **MI-107**: The Maritime Act, 1990, as amended
  - Chapter 8 (Merchant Seafarers), Part I (General), 805, Officer’s licenses
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 825, Required documents for seafarers
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations

- **MI-108**: Maritime Regulations
  - Chapter 1 (General Regulations), 1.04, Certificates of Merchant Marine Personnel
  - Chapter 4 (Radio)
  - Chapter 7 (Merchant Seafarers)
    - Chapter 7 (Merchant Seafarers), 7.42.3, Medical Doctor
    - Chapter 7 (Merchant Seafarers), 7.42.4, Standard of Competence for Medical First Aid/Medical Care
    - Chapter 7 (Merchant Seafarers), 7.46, Shipping Articles
    - Chapter 7 (Merchant Seafarers), 7.47, Required Certification
    - Chapter 7 (Merchant Seafarers), 7.48, Certificates of Service

- **MI-118**: Requirements for Merchant Marine Personnel Certification
  - Form MI-105, Application for Endorsement of Officer Certificate of Competence
  - Form MI-105E, Application for Original Officer Certificate of Competence by Examination
  - Form MI-151B, Certificate of Receipt of Application
  - Form MI-273, Application for Seafarer’s Identification and Record Book and Special Qualifications

**Panama**


**Panama Circulars:**

- 50, Issuance of Certificate of Competency
- 51, Application for Statutory Certificate of Competency
- 52, Seafarers’ Identity Card
- 53, Personnel exempted from the requirement of having a Seafarer’s Identity Card on Panamanian Flag Passenger Vessels
- 54, Certificate of Competency
- 68, Certificate of Proficiency in Survival Craft
- 74, License Applications
- 79, Acceptance of home Country Lifeboatmen or Survival craftsmen Certificates
- 85, List of Countries whose licenses are validated by Panama
- 104, GMDSS Radio Qualified Personnel on board Panamanian Flag Vessels Policy (Amended by 118)
- 118, Amendments to MMC No. 106 GMDSS (Radio Qualified Personnel on board Panamanian Flag Vessels) update policy
- 134, Validity of Course Certificates and Course Endorsements

**Panama Law Decree No. 8:**

- Chapter 1, General Provisions
- Chapter 2, Vessels’ Crews

*Continued on next page*
## Regulation 1.3 Training and qualifications, Continued

### United Kingdom

**Merchant Shipping Act 1995 (c. 21)**
- 50: Production of certificates and other documents of qualification.
- 51: Crew’s knowledge of English.
- 127: Training in safety matters.

### United States

- 46 CFR 10: Subchapter B – Merchant Marine Officers and Seamen: Licensing of maritime personnel
- 46 CFR 12: Subchapter B – Merchant Marine Officers and Seamen: Certification of seamen
- 46 CFR 13: Subchapter B – Merchant Marine Officers and Seamen: Certification of tankermen
- 46 CFR 15: Subchapter B – Merchant Marine Officers and Seamen: Manning requirements
- 46 CFR 166: Subchapter R – Nautical Schools: Designation and approval of nautical school ships
- 46 CFR 167: Subchapter R – Nautical Schools: Public nautical school ships
- 46 CFR 168: Subchapter R – Nautical Schools: Civilian nautical school vessels
- 46 CFR 169: Subchapter R – Nautical Schools: Sailing school vessels

### Other References

- ILO, Accident prevention on board ship and at sea and in port, Section 2.1.11
- ILO, Ambient Factors in the Workplace, Section 3.6, Training and information
- International Maritime Dangerous Goods Supplement
- Labels, Marks, and Signs
- Emergency Response Procedures for Ships Carrying Dangerous Goods
- Recommendations on the Safe Use of Pesticides in Ships
- Guidelines for a structure of an integrated system of contingency planning for shipboard emergencies
- ILO, Convention C74: Certification of Able Seamen Convention, 1946
Appendix 6  Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 1.4  Recruitment and placement

Bahamas

Bahamas Bulletins
- 15, Ship and Officers Radio Licenses
- 26, Ship’s Cooks
- 27, Medical Examinations
- 68, Seaman’s Record Books

Cyprus

- The Merchant Shipping (Registration of Seafarers and Seafarers’ Register) Law of 2000 (Law 108(I)/2000)
- Merchant Shipping (Criminal and Disciplinary Liability of Seafarers, Suspension or Cancellation of Certificates) Law of 2000 (Law 106(I)/2000 as amended)

Circulars
- 25.06.1981: Engagement of Cypriots on board Cyprus Ships
- 11.01.1983: Engagement of unemployed Cypriot seamen
- 11.12.1989: Certificates of Competency recognized by the Government of the Republic of Cyprus [(1),(3)]
- 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95
- 7.11.1996: Certificates of Competency recognised by the Government of the Republic of Cyprus – Maldives [(1)]
- 17.12.1996: Certificates of Competency recognised by the Government of the Republic of Cyprus – Colombia [(1)]
- 10.01.1997: Certificates of Competency recognised by the Government of the Republic of Cyprus - Cape Verde [(1)]
- 2.06.1997: Certificates of Competency recognised by the Government of the Republic of Cyprus - Ivory Coast [(1)]
- 27.11.1997: Certificates of Competency recognized by the Government of the Republic of Cyprus - Chile & Ukraine
- 23.03.1999: Special training program for catering and other personnel on board passenger and ro-ro passenger ships not employed or engaged in any capacity as part of the ship’s compliment with designated safety or pollution duties in the operation of the ship.
- 17.06.1999: Special training program for catering and other personnel on board passenger and ro-ro passenger ships not employed or engaged in any capacity as part of the ship/s compliment with designated safety or pollution duties in the operation of the ship.

Continued on next page

4 Cypriot Footnotes: (Note that Cypriot dates are in day.month.year format)
[1]: indicates that the circular is superseded/or amended by a more recent circular.
[3]: indicates that the circular is also addressed/or copied to all Cyprus Consuls. Since 1993 all circulars addressed to the Owners, Managers and Representatives of Ships under the Cyprus flag are also copied to all Cyprus Consuls
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States

Regulation 1.4 Recruitment and placement, Continued

Liberia

- RLM-107
  - Section 351A, Contracts for Seafaring Labor
  - Section 352, Freedom of Association
  - Section 353, Protection of Freedom of Association
  - Section 354, Bargaining and Execution of Labor Contract
  - Section 355, Provisions Authorized in Labor Contracts
  - Section 356, Provisions Prohibited in Labor Contracts
  - Section 357, Protection of Labor Contract
- RLM-108
  - Section 10.318, Employment Conditions
  - Section 10.320, Shipping Articles
- Marine Operations Note 9-2005 – New Seafarer’s Electronic Application (SEA) System

Malta

- Chapter 234, Merchant Shipping Act
- Part IV, Masters and seamen, paragraphs 89-206

Merchant Shipping Directorate

- MSD Notice No. 43, Recognition of non-Malta Certificates of Competence for Service on Maltese Ships

Subsidiary Legislation

- 234.23, Merchant Shipping (Medical Examination) Regulations
- Malta Maritime Authority Act (Cap. 352), Commercial Vessels Regulations, 2002
- 49.04, Wireless Telegraphy (Certificates of Operators) Regulations

Marshall Islands

Marine Notices

- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands

Panama

- Law Decree No. 8, Chapter 3, Employment of Seafarers
- Circular 44, Medical Certificate
- Panama Law Decree No.8, Chapter4, Employment Contract
- Panama Law Decree No.8, Chapter 11, Court Rules

United Kingdom

Merchant Shipping Act 1995 (c. 21)

- 82: Maintenance of Merchant Navy Reserve
- 83: Supplementary provisions

Continued on next page
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 1.4 Recruitment and placement, Continued

United States
- 46 CFR 14: Subchapter B – Merchant Marine Officers and Seamen: Shipment and discharge of merchant mariners
- 46 CFR 349: Subchapter I-B – Control and Utilization of Ports: Reemployment rights of certain merchant seamen

Other References
- ISF, Guidelines on Good Employment Practice
  - Section 1.1, Union Membership and Affiliation
  - Section 1.2, Negotiating Arrangements and Collective Agreements
  - Section 2, Recruitment and Personnel Administration.
- The Panama Registry: http://www.segumar.com/
- The Bahamas Maritime Authority: http://www.bahamasmaritime.com/
- Liberian International Ship and Corporate Registry: http://www.liscr.com/
- United Kingdom, Maritime and Coastguard Agency:
  http://www.mcga.gov.uk/c4mca/mcga-home
- United States, National Archives and Records Administration:
Regulation 2.1 Seafarers’ employment agreements

Bahamas

Bahamas Merchant Shipping Act
- 80, Crew agreement
- 81, Contents of crew agreement
- 82, Crew agreement of foreign-going ship
- 83, Further provisions as to crew agreement
- 86, Certificate of discharge
- 126, No assignments of sale of salvage
- 127, Seaman’s debts
- 150, Wages and effects of seamen left behind
- 151, Certificate of discharge abroad
- 152, Certificate of discharge abroad
- 153, Return of seamen on termination of service
- 154, Discharge of seamen on change of ownership
- 155, Certificate required when seamen left behind at foreign port
- 156, Account of wages where seamen left behind
- 157, Payment of wages of seaman left behind
- 158, Application of wages of seaman left behind
- 159, Relief of distressed seaman
- 160, Repayment of expenses of relief and return
- 161, Forcing ashore
- 162, Proper return port
- 163, Manner of return of seaman
- 164, Questions as to return of seaman
- 165, Minister may assist distressed

Cyprus

- The Merchant Shipping (Registration of Seafarers and Seafarers’ Register) Law of 2000 (Law 108(I)/2000)
- Merchant Shipping (Criminal and Disciplinary Liability of Seafarers, Suspension or Cancellation of Certificates) Law of 2000 (Law 106(I)/2000 as amended)

Circulars\(^5\)
- 25.06.1981: Engagement of Cypriots on board Cyprus Ships
- 11.12.1989: Certificates of Competency recognized by the Government of the Republic of Cyprus [(1),(3)]
- 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95
- 7.11.1996: Certificates of Competency recognised by the Government of the Republic of Cyprus – Maldives [(1)]

\(^5\) Cypriot Footnotes: (Note that Cypriot dates are in day.month.year format)
[1]: indicates that the circular is superseded/or amended by a more recent circular.
[3]: indicates that the circular is also addressed/or copied to all Cyprus Consuls. Since 1993 all circulars addressed to the Owners, Managers and Representatives of Ships under the Cyprus flag are also copied to all Cyprus Consuls
Regulation 2.1 Seafarers’ employment agreements, Continued

Cyprus (continued)

- 17.12.1996: Certificates of Competency recognised by the Government of the Republic of Cyprus – Colombia [(1)]
- 10.01.1997: Certificates of Competency recognised by the Government of the Republic of Cyprus - Cape Verde [(1)]
- 2.06.1997: Certificates of Competency recognised by the Government of the Republic of Cyprus - Ivory Coast [(1)]
- 27.11.1997: Certificates of Competency recognised by the Government of the Republic of Cyprus - Chile & Ukraine
- 23.03.1999: Special training program for catering and other personnel on board passenger and ro-ro passenger ships not employed or engaged in any capacity as part of the ship’s compliment with designated safety or pollution duties in the operation of the ship.
- 17.06.1999: Special training program for catering and other personnel on board passenger and ro-ro passenger ships not employed or engaged in any capacity as part of the ship/s compliment with designated safety or pollution duties in the operation of the ship.
- 05/03/2003: Official Log Books and Ship’s Articles
- 31/10/2003: Employment of Pakistani Seafarers on Cyprus Flag Ships

Liberia

- RLM-107 Sections:
  - 342, Repatriation
  - 343, Loss of Right of Repatriation
  - Section 351A, Contracts for Seafaring Labor
  - Section 352, Freedom of Association
  - Section 353, Protection of Freedom of Association
  - Section 354, Bargaining and Execution of Labor Contract
  - Section 355, Provisions Authorized in Labor Contracts
  - Section 356, Provisions Prohibited in Labor Contracts
  - Section 357, Protection of Labor Contract
  - 358, Strikes, Picketing and Like Interference
  - 359, Conciliation, Mediation and Arbitration of Labor Disputes, Differences or Grievances
  - 360, Time Bar
  - 361, Commissioner to Make Rules and Regulations
- RLM-108, Section 10.320, Shipping Articles
- RLM-300
  - REP-005, Cancellation of Ships’ Officers and Repatriation (Liability Insurance) Coverage, Form RLM-119
  - SEA-002, Articles of Agreement between the Master and Seafarers in the Merchant Service of the ROL

Continued on next page
Appendix 6  Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 2.1  Seafarers’ employment agreements, Continued

Malta
- Chapter 234, Merchant Shipping Act
  - Part IV, Masters and seamen, paragraphs 89-206
- Chapter 234, Merchant Shipping Act
  - Part IV, Masters and seamen, Conditions for admission to employment, paragraph 107
  - Part IV, Engagement of seamen, paragraph 113, 114, 117, 122B, 122C
  - Part IV, Discharge of seamen, paragraphs 125-130
  - Part IV, Provisions as to discipline, paragraphs 169-182
  - Part IV, Official logs, paragraphs 190-203

Merchant Shipping Directorate
- MSD Notice No. 43, Recognition of non-Malta Certificates of Competence for Service on Maltese Ships

Subsidiary Legislation
- 234.23, Merchant Shipping (Medical Examination) Regulations
- Malta Maritime Authority Act (Cap. 352), Commercial Vessels Regulations, 2002
- 49.04, Wireless Telegraphy (Certificates of Operators) Regulations

Marshall Islands
- Marine Notices
  - No. 1-000-2, Official and Other Forms and Publications
  - No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
  - No. 7-046-1, Articles of Agreement between the Master and Seafarers in the Merchant Service of the Republic of the Marshall Island (Shipping Articles)

MI-300: The Republic of the Marshall Islands Combined Publications Folder
- MI-107: The Maritime Act, 1990, as amended
  - Chapter 8 (Merchant Seafarers), Part II (Rights and Duties of the Master), 811, Termination of employment
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 820, Shipping Articles required
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 830, Grounds for discharge
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 831, Advances and allotment of wages
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 832, Wages and clothing exempt from attachment
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 845, Offenses against the internal order of the vessel
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 846, Prohibition of corporal punishment
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 847, Barratry; drunkenness; neglect of duty
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 848, Desertion
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 849, Incitement of seafarer to revolt or mutiny

Continued on next page
Regulation 2.1  Seafarers’ employment agreements, Continued

Marshall Islands (continued)

- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 850, Revolt or mutiny of seafarer
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 853, Contracts for seafaring labor
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 854, Freedom of association
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 855, Protection of freedom of association
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 856, Bargaining and execution of labor contract
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 857, Provisions authorized in labor contracts
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 858, Provisions prohibited in labor contracts
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 859, Protection of labor contract
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 860, Strikes, picketing and like interference
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations

- MI-108: Maritime Regulations
  - Chapter 7 (Merchant Seafarers), 7.45, Employment Conditions
  - Chapter 7 (Merchant Seafarers), 7.46, Shipping Articles
  - Chapter 7 (Merchant Seafarers), 7.51.3.c, Salary Plans
  - Chapter 7 (Merchant Seafarers), 7.51.3.d, Profit-Sharing
  - Chapter 7 (Merchant Seafarers), 7.52.2.b, Forbidden Employment Condition

Panama

- Law Decree No. 8, Chapter 3, Employment of Seafarer
- Law Decree No. 8, Chapter 4, Employment Contract

United Kingdom

Statutory Instruments


Merchant Shipping Act 1995 (c. 21)

- 25: Crew agreements
- 26: Regulations relating to crew agreements
- 27: Discharge of seamen
- 29: Discharge of seamen when ship ceases to be registered in United Kingdom
- 109: Regulations relating to crew agreements

Continued on next page
Regulation 2.1  Seafarers’ employment agreements, Continued

**United States**
- 46 CFR 14: Subchapter B – Merchant Marine Officers and Seamen: Shipment and discharge of merchant mariners

**Other References**
- Guidelines on Good Employment Practice
  - 1.1, Union Membership and Affiliation
  - 1.2, Negotiating Arrangements and Collective Agreements
  - 2, Recruitment and Personnel Administration
  - 3, General Conditions of Employment
  - 4, Health, Safety, and Welfare
- Ambient prevention on board ship at sea and in port
  - 2.5, General duties and responsibilities of seafarers
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States

Regulation 2.2  Wages

Bahamas

Bahamas Bulletins
- Bulletin 2, Public Holidays

Bahamas Merchant Shipping Act
- 88, Time and manner of payment
- 89, Master to deliver account of wages
- 90, Deductions
- 91, Settlement of wages
- 92, Registrar’s decision as to wages
- 93, Registrar may require ship’s papers
- 94, Rate of exchange
- 95, Conditional agreements
- 96, Allotment notes
- 97, Facilities for remitting wages
- 98, Recovery of sums allotted
- 99, Commencement of right to wages
- 100, Right to wages and salvage not to be forfeited
- 101, Wages not to depend on freight
- 102, Wages where service terminated
- 103, Refusal to work
- 104, Illness caused by default
- 105, Costs of procuring conviction
- 106, Compensation for improper discharge
- 107, No attachment or sale of wages
- 108, Leave and public holidays
- 109, Seamen may sue for wages
- 110, Restriction of jurisdiction of supreme court
- 111, Master’s remedy for wages and expenses
- 112, Power of court to rescind contracts
- 126, No assignments of sale of salvage
- 127, Seaman’s debts

Cyprus
- None identified at time of publication

Liberia

RLM-107
- 327, Payment or Wages
- 328, Wages for Unjustifiable Discharge
- 329, Stowaway Entitled to Wages, if there is an Agreement
- 331, Advances and Allotment of Wages
- 332, Wages and Clothing Exempt from Attachment
- 333, Vacation Allowance and Holidays
- 334, Agreements as to Loss of Lien or Right of Wages
- 335, Wages Not Dependent on Freight Earned
- 336, Wages, Maintenance and Cure for Sick and Injured

Continued on next page
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 2.2 Wages, Continued

Liberia (continued)  RLM-300
- SEA-004, Payment of Wages – Account

Malta
- Chapter 234, Merchant Shipping Act
  - Part II, Special privileges, paragraph 50
  - Part IV, Engagement of seamen, paragraph 114, 122C
  - Part IV, Payment of wages, paragraphs 131-137A
  - Part IV, Rights of seamen in respect of wages, paragraphs 138-146
  - Part IV, Deceased and distressed seamen and seamen left behind, paragraph 162

Marshall Islands
- Marine Notices
  - No. 7-046-1, Articles of Agreement between the Master and Seafarers in the Merchant Service of the Republic of the Marshall Island (Shipping Articles)
  - MI-300: The Republic of the Marshall Islands Combined Publications Folder
    - MI-107: The Maritime Act, 1990, as amended
      - Chapter 3 (Preferred Ship Mortgages and Maritime Liens), 318, Foreclosure; priority of Preferred mortgage lien; exemption
      - Chapter 8 (Merchant Seafarers), Part II (Rights and Duties of the Master), 811, Termination of employment
      - Chapter 8 (Merchant Seafarers), Part II (Rights and Duties of the Master), 813, Certain seafarer’s rights provided for Master
      - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 827, Payment of wages
      - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 828, Wages for unjustifiable discharge
      - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 834, Agreements as to loss of lien or right to wages
      - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 835, Wages not dependent on freight earned
      - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 836, Wages, maintenance and cure for sick and injured seafarer
      - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations
  - MI-108: Maritime Regulations
    - Chapter 7 (Merchant Seafarers), 7.46, Shipping Articles
    - Chapter 7 (Merchant Seafarers), 7.51.3, Payment of Wages

Panama
- Law Decree No. 8
  - Chapter 1, General Provisions
  - Chapter 3, Employment of Seafarers
  - Chapter 4, Employment Contract

Continued on next page
## Regulation 2.2  Wages, Continued

### United Kingdom

- Merchant Shipping Act 1995 (c. 21)
  - 30: Payment of seamen’s wages
  - 31: Account of seaman’s wages
  - 32: Regulations relating to wages and accounts
  - 33: Power of superintendent or proper officer to decide disputes about wages
  - 34: Restriction on assignment of and charge upon wages
  - 35: Power of court to award interest on wages due otherwise than under crew agreement
  - 36: Allotment notes
  - 37: Right of person named in allotment to sue in own name
  - 38: Right, or loss of right, to wages in certain circumstances
  - 39: Protection of certain rights and remedies
  - 40: Claims against seaman’s wages for maintenance, etc. of dependants
  - 41: Remedies of master for remuneration, disbursements and liabilities
  - 58: Conduct endangering ships, structures or individuals
  - 59: Concerted disobedience and neglect of duty
  - 61: Inquiry into fitness or conduct of officer
  - 62: Disqualification of holder of certificate other than officer’s
  - 63: Inquiry into fitness or conduct of seaman other than officer
  - 64: Re-hearing of and appeal from inquiries.
  - 65: Rules as to inquiries and appeals
  - 66: Failure to deliver cancelled or suspended certificate.
  - 67: Power to restore certificate
  - 68: Power to summon witness to inquiry into fitness or conduct of officer or other seaman
  - 69: Procedure where inquiry into fitness or conduct of officer or other seaman is held by sheriff
  - 70: Civil liability for absence without leave
  - 71: Civil liability for smuggling
  - 72: Civil liability for fines imposed under immigration laws
  - 110: Payments of seamen’s wages
  - 111: Regulations relating to wages: deductions
  - 112: Accounts of wages and catch
  - 113: Restriction on assignment of and charge upon wages
  - 114: Right, or loss of right, to wages in certain circumstances

* Continued on next page *
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 2.2 Wages, Continued

United States

- 46 CFR 5: Subchapter A – Procedures Applicable to the Public: Marine investigation regulations – personnel action
- 46 CFR 14: Subchapter B – Merchant Marine Officers and Seamen: Shipment and discharge of merchant mariners
- 46 CFR 16: Subchapter B – Merchant Marine Officers and Seamen: Chemical testing
- 46 CFR 317: Subchapter I-A – National Shipping Authority: Bonding of ship's personnel
- 46 CFR 328: Subchapter I-A – National Shipping Authority: Slop chests

Other References

- IMO/ILOWGLCCS 6/3/3, Protection of seafarers’ wages
- Guidelines on Good Employment Practices
  - 1.1, Union Membership and Affiliation
  - 1.2, Negotiating Arrangements and Collective Agreements
  - 2, Recruitment and Personnel Administration
  - 3, General Conditions of Employment
Regulation 2.3  Hours of work and hours of rest

Bahamas
- Bulletin 2, Public Holidays
- Merchant Shipping Act, 108, Leave and public holidays

Cyprus
- Circulars
  - 18.09.1985: Ratification by Cyprus of the STCW Convention. / Implementation [(1)]
  - 24.01.1995: Ratification by the Republic of Cyprus of the ILO No. 58 Convention fixing the Minimum Age for the Admission of Children to Employment at Sea (Revised 1936) Ratification Law 8(III)/94
  - 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95

Liberia
- RLM-108, 10.341, Working Hours, Overtime
- RLM-107, 341, Working Hours, Overtime
- RLM-300
  - MAN-001, Manning of Vessels and Principles of Watchkeeping
  - MAN-003, Certification, Training and Rest Periods
  - RAD-004, Ship Radio Station Watchkeeping Hours

Malta
- Chapter 234, Merchant Shipping Act
- Part IV, Engagement of seamen, paragraph 122C
- Part IV, Accommodation, Provisions and Health, paragraph 153
- Part X, Regulations, Rules and orders, paragraph 375

Merchant Shipping Directorate
- MSD Notice No. 50, Merchant Shipping (Hours of Work) Regulations, 2002

Continued on next page

6 Cypriot Footnotes: (Note that Cypriot dates are in day.month.year format)
[1]: indicates that the circular is superseded/or amended by a more recent circular.
Regulation 2.3  Hours of work and hours of rest, Continued

Marshall Islands

Marine Notices
- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
- No. 5-034-1, Safety Inspections of Marshall Islands Ships
- No. 5-034-2, Alternate Safety Inspection Program
- No. 7-046-1, Articles of Agreement between the Master and Seafarers in the Merchant Service of the Republic of the Marshall Island (Shipping Articles)
- No. 7-047-1, STCW Seafarer Certification, Training and Rest Periods

MI-300: The Republic of the Marshall Islands Combined Publications Folder
- MI-107: The Maritime Act, 1990, as amended
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 842, Working hours, rest hours and overtime
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations
- MI-108: Maritime Regulations
  - Chapter 7 (Merchant Seafarers), 7.46, Shipping Articles
  - Chapter 7 (Merchant Seafarers), 7.51, Hours of Work and Hours of Rest

Panama

- Law Decree No. 8, Chapter 6, Work on Board

United Kingdom

Statutory Instruments
- 2004 No. 1469: The Merchant Shipping (Hours of Work) (Amendment) Regulations 2004

Merchant Shipping Act 1995 (c. 21)
- 115, Hours of work

United States

- 46 CFR 15: Subchapter B – Merchant Marine Officers and Seamen: Manning requirements

Other References
- Guidelines on Good Employment Practices
  - 1.1, Union Membership and Affiliation
  - 1.2, Negotiating Arrangements and Collective Agreements
  - 2, Recruitment and Personnel Administration
  - 3, General Conditions of Employment
- IMO/ILO Seafarers’ Hours of Work and Hours of Rest
  - Section 10, Guidance on the development of a table of shipboard working arrangements
  - Section 16, Guidance for the development of formats of the records of seafarer’s hours of work or rest
- ILO Convention C180, Seafarers’ Hours of Work and the Manning of Ships Convention, 1996
- IMO International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended
### Regulation 2.4 Entitlement to leave

<table>
<thead>
<tr>
<th>Country</th>
<th>Cross-references</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bahamas</strong></td>
<td>• Merchant Shipping Act, 108, Leave and public holidays</td>
</tr>
<tr>
<td><strong>Cyprus</strong></td>
<td>• None identified at time of publication</td>
</tr>
<tr>
<td><strong>Liberia</strong></td>
<td>• RLM-107</td>
</tr>
<tr>
<td></td>
<td>• 320, Shipping Articles Required</td>
</tr>
<tr>
<td></td>
<td>• 333, Vacation Allowance and Holidays</td>
</tr>
<tr>
<td></td>
<td>• RLM-108</td>
</tr>
<tr>
<td></td>
<td>• 10.318, Employment Conditions</td>
</tr>
<tr>
<td></td>
<td>• 10.320, Shipping Articles</td>
</tr>
<tr>
<td><strong>Malta</strong></td>
<td>• Chapter 234, Merchant Shipping Act</td>
</tr>
<tr>
<td></td>
<td>• Part IV, Engagement of seamen, paragraph 114, 122C</td>
</tr>
<tr>
<td><strong>Marshall Islands</strong></td>
<td>MI-300: The Republic of the Marshall Islands Combined Publications Folder</td>
</tr>
<tr>
<td></td>
<td>• MI-107: The Maritime Act, 1990, as amended</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 833,</td>
</tr>
<tr>
<td></td>
<td>Vacation allowance and holidays</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864,</td>
</tr>
<tr>
<td></td>
<td>Maritime Administrator to make rules and regulations</td>
</tr>
<tr>
<td><strong>Panama</strong></td>
<td>• Law Decree No. 8, Chapter Four, Employment Contract</td>
</tr>
<tr>
<td></td>
<td>o Article 35</td>
</tr>
<tr>
<td></td>
<td>o Article 52</td>
</tr>
<tr>
<td></td>
<td>o Article 56</td>
</tr>
<tr>
<td></td>
<td>• Law Decree No. 8, Chapter Six, Work on Board</td>
</tr>
<tr>
<td></td>
<td>o Article 73</td>
</tr>
<tr>
<td></td>
<td>o Article 74</td>
</tr>
<tr>
<td><strong>United Kingdom</strong></td>
<td>None identified at time of publication</td>
</tr>
<tr>
<td><strong>United States</strong></td>
<td>• Title 20, Labor</td>
</tr>
<tr>
<td><strong>Other References</strong></td>
<td>• Seafarer’s Rights on Liberian Flag Ships [Center for Seafarer’s Rights, Seamen’s Church Institute of New York and New Jersey]</td>
</tr>
<tr>
<td></td>
<td>• Guidelines on Good Employment Practices</td>
</tr>
<tr>
<td></td>
<td>o 3, General Conditions of Employment</td>
</tr>
</tbody>
</table>
Regulation 2.5 Repatriation

Bahamas
- Merchant Shipping Act, 80, Crew Agreement
- Merchant Shipping Act, 81, Contents of crew agreement
- Merchant Shipping Act, 82, Crew agreement of foreign-going ship
- Merchant Shipping Act, 102, Wages where service terminated
- Merchant Shipping Act, 104, Illness caused by default
- Merchant Shipping Act, 113, Property of deceased seaman
- Merchant Shipping Act, 114, Delivery of property to deceased seaman
- Merchant Shipping Act, 128, Misconduct endangering life of ship
- Merchant Shipping Act, 129, General offences against discipline
- Merchant Shipping Act, 131, Desertion and absence without leave
- Merchant Shipping Act, 134, False statement as to last ship or name
- Merchant Shipping Act, 135, Deserters from foreign ships
- Merchant Shipping Act, 136, Offences to be entered in official log-book
- Merchant Shipping Act, 150, Owner responsible for return of seamen left behind at a port other than the port of engagement
- Merchant Shipping Act, 151, Wages and effects of seamen left behind
- Merchant Shipping Act, 152, Certificate of discharge abroad
- Merchant Shipping Act, 153, Return of seamen on termination of service
- Merchant Shipping Act, 154, Discharge of seamen on change of ownership
- Merchant Shipping Act, 155, Certificate required when seamen left behind at foreign port
- Merchant Shipping Act, 156, Account of wages where seamen left behind
- Merchant Shipping Act, 157, Payment of wages of seaman left behind
- Merchant Shipping Act, 158, Application of wages of seaman left behind
- Merchant Shipping Act, 159, Relief of distressed seaman
- Merchant Shipping Act, 160, Repayment of expenses of relief and return
- Merchant Shipping Act, 161, Forcing ashore
- Merchant Shipping Act, 162, Proper return port
- Merchant Shipping Act, 163, Manner of return of seaman
- Merchant Shipping Act, 164, Questions as to return of seaman
- Merchant Shipping Act, 165, Minister may assist distressed

Cyprus
Circulars
- 13.02.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 23 concerning the Repatriation of Seamen of 1926 Ratification Law 12(III)/95

Continued on next page
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 2.5 Repatriation, Continued

Liberia

- RLM-107
  - 320, Shipping Articles Required
  - 342, Repatriation
  - 343, Loss of Right of Repatriation
  - 351, Abandonment of Seamen
- RLM-108
  - 10.320, Shipping Articles
  - 10.342, Liability Insurance; Repatriation Costs
- RLM-300
  - REP-005, Reporting of Repatriation (Liability Insurance) Coverage; Cancellation of Ship’s Officers Report on Form RLM-119. Completed Shipping Articles (of Agreement)
  - SEA-002, Articles of Agreement between the Master and Seafarers in the Merchant Service of the Republic of Liberia

Malta

- Chapter 234, Merchant Shipping Act
  - Part I, Preliminary, paragraph 2
  - Part IV, Engagement of seamen, paragraph 114, 122C
  - Part IV, Discharge of seamen, 130
  - Part IV, Accommodation, Provisions and Health, paragraph 153
  - Part IV, Deceased and distressed seamen and seamen left behind, paragraphs 156-168A
  - Part X, Regulations, Rules and orders, paragraph 375
- Chapter 352, Malta Maritime Authority Act
  - Part V, Declaration and Regulation of Ports, paragraph 28

Marshall Islands

Marine Notices

- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
- No. 7-046-1, Articles of Agreement between the Master and Seafarers in the Merchant Service of the Republic of the Marshall Island (Shipping Articles)

MI-300: The Republic of the Marshall Islands Combined Publications Folder
- MI-107: The Maritime Act, 1990, as amended
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 836, Wages, maintenance and cure for sick and injured seafarer
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 848, Repatriation
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 844, Loss of right of repatriation
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 852, Abandonment of seafarer
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations
- MI-108: Maritime Regulations
  - Chapter 7 (Merchant Seafarers), 7.52, Repatriation and Unemployment Compensation

Continued on next page
Appendix 6  Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 2.5  Repatriation, Continued

Panama

- Law Decree No. 8, Chapter 3, Employment of Seafarers
  - Article 21
  - Article 22
- Law Decree No. 8, Chapter 4, Employment Contract
  - Article 36
  - Article 37
  - Article 38
  - Article 39
  - Article 48
  - Article 49
  - Article 50

United Kingdom

- Merchant Shipping Act 1995 (c. 21)
  - 28, Seamen left behind abroad otherwise than on discharge
- Discharge of seamen when ship ceases to be registered in United Kingdom
  - 73, Relief and return of seamen, etc., left behind and shipwrecked
  - 74, Limit of employer’s liability under section 73
  - 75, Recovery of expenses incurred for relief and return, etc.
  - 76, Financial assistance in respect of crew relief costs

United States

- 46 CFR 14: Subchapter B – Shipment and Discharge of Merchant Mariners
- 46 CFR 332: Subchapter I.B – Repatriation of Seamen
- Title 20, Labor

Other References

- Seafarer’s Rights on Liberian Flag Ships [Center for Seafarer’s Rights, Seamen’s Church Institute of New York and New Jersey]
- IMO International Convention on Arrest of Ships, 1999
- Guidelines on Good Employment Practices
- 3, General Conditions of Employment
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States

Regulation 2.7 Manning levels

Bahamas

**Bulletins**
- 40, Revision of the Safe Manning Documents Layout and Information
- 42, Safe Manning Documents Automatic 28 Day Manning Exemption
- 45, Amended Changes for Safe Manning Documents, Certificates of Competency, Flag State Endorsement and Seaman’s Record Books
- 62, Safe Manning Documents

**Bahamas Merchant Shipping Act**
- 67, Manning requirements, qualifications, regulations, offences
- 74, Prohibition of going to sea under-manned

Cyprus

- Merchant Shipping (Masters and Seamen) Laws, 1963 to 2002 [Part II - Composition of Personnel of a Ship (Safe Manning) - Certificates of Maritime Competency]

**Circulars**
- 10.01.1995: Prompt Issuance of the Document of Minimum Safe Manning
- 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95
- 8.04.1996: Government Policy regulating the Dispensations with regard to Manning - Deficient Manning in Respect of Qualifications or Number of Crew of Cyprus Ships
- 08.03.1999: Application for Document of Safe Manning for ships other than Passenger ships
- 10.07.2002: Application for the issue of a Minimum Safe Manning Document
- 21/04/2003: Government Policy regulating the Dispensations with regard to Manning - Deficient Manning in Respect of Qualifications or Number of Crew of Cyprus Ships
- 01/09/2003: Application for the issue of a Minimum Safe Manning Document

Liberia

- RLM-108, 10.292, Manning Requirements
- RLM-118, Requirements for Merchant Marine Personnel Certification
- RLM-300
  - MAN-001, Manning of Vessels and Principles of Watchkeeping
  - MAN-002, Periodically Unmanned Machinery Spaces (PUMS); Requirements for Safety of Operation & Reduced Manning
  - MAN-003, Certification, Training and Rest Periods
- Marine Safety Program, Minimum Safe Manning Requirements
- MSD336RL, Application for Minimum Safe Manning Certificate

Continued on next page
Regulation 2.7  Manning levels, Continued

Malta
- Chapter 234, Merchant Shipping Act
  - Part IV, Masters and seamen, Certificate of competency, paragraph 90
  - Part V, Unseaworthy ships, paragraph 279
  - Part X, Regulations, Rules and orders, paragraph 375
- Chapter 140, Carriage of Goods by Sea Act
- Chapter 352, Malta Maritime Authority Act
  - Part V, Declaration and Regulation of Ports, paragraph 33

Merchant Shipping Directorate
- MSD Notice No. 13, Minimum Safe Manning Certificates for Maltese Ships

Subsidiary Legislation
- 234.06, Merchant Shipping Fees Regulations
- Malta Maritime Authority Act (Cap. 352), Commercial Vessels Regulations, 2002

Marshall Islands
Marine Guidelines
- No. 5-34-1, Self-Inspection Program

Marine Notices
- No. 1-000-2, Official and Other Forms and Publications
- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
- No. 5-034-1, Safety Inspections of Marshall Islands Ships
- No. 5-034-2, Alternate Safety Inspection Program
- No. 7-038-1, Periodically Unattended Machinery Spaces (PUMS); Requirements for Safety of Operation and Reduced Manning
- No. 7-038-2, Minimum Safe manning Requirements for Vessels

Marine Safety Advisories
- No. 8-05, Marshall Islands Minimum Safe Manning Certificates

MI-300: The Republic of the Marshall Islands Combined Publications Folder
- MI-100: Vessel Registration and Mortgage Recording Procedures
  - Chapter III (Vessel Registration), Section 2 (Provisional Registration), Paragraph B, Required Documents to be submitted with Application for Registration (Item 8: Application for Minimum Safe Manning Certificate)
  - Chapter III (Vessel Registration), Section 5 (The Permanent Certificate of Registry), Paragraph B, Required Document to be submitted for a Permanent Certificate of Registry (Item 4(e): Minimum Safe Manning Certificate)
  - Chapter VII (Yacht Registration), Section 1 (Commercial Yachts), paragraph E.7: Minimum Safe Manning Certificate
  - Chapter VII (Yacht Registration), Section 2 (Private Yachts), paragraph L.5: Minimum Safe Manning Certificate
  - ANNEX-10A: Form MI-336, Application for Minimum Safe Manning Certificate
  - ANNEX-10B: Form MI-336MODU, Application for Minimum Safe Manning Certificate - MODU

Continued on next page
## Regulation 2.7  Manning levels, Continued

### Marshall Islands (continued)
- **MI-103A**: Safety Code of Practice for Large Yachts
  - 26.0, Manning and Certification
  - Annex 5, Minimum Manning Levels for Commercial Yachts over 24M
  - Annex 6, List of Certificates to be Issued
- **MI-103B**: Safety Code of Practice for Small Yachts
  - 26.0, Manning
  - Annex 5, List of Certificates to be Issued
  - Annex 7, Certificate of Medical Fitness
  - Annex 9, Minimum Manning Levels for Small Motor Yachts in Commercial Use
- **MI-107**: The Maritime Act, 1990, as amended
  - Chapter 8 (Merchant Seafarers), Part I (General), 804, Full complement required
- **MI-108**: Maritime Regulations
  - Chapter 7 (Merchant Seafarers), 7.38, Manning Requirements for Vessels Registered under the Maritime Act
  - Chapter 7 (Merchant Seafarers), 7.38.6, Minimum Safe Manning Certificate
  - Chapter 7 (Merchant Seafarers), 7.42.3. Medical Doctor

### Panama
- 21, Minimum Safe Manning Requirements
- 43, Minimum Safe Manning Certificate
- 65, Validity of the Minimum Safe Manning Certificate
- 73, Minimum Safe Manning Certificate
- 78, Minimum Safe Manning for Laid-up Vessels
- 80, Temporary reduction in Manning due to special circumstances

### United Kingdom
- Merchant Shipping Act 1995 (c. 21)
  - 47: Manning
  - 48: Power to exempt from manning requirements
  - 49: Prohibition of going to sea undermanned

### United States
- 46 CFR 15: Subchapter B – Merchant Marine Officers and Seamen: Manning requirements

### Other References
- IMO Principles of Safe Manning (Resolution A.890(21))
- IMO Principles of Safe Manning (Resolution A.955(23)) Amendments to Principles of Safe Manning
Regulation 3.1 Accommodation and recreational facilities

Bahamas
- Merchant Shipping (Crew Accommodation) Regulations 1978
- Merchant Shipping (Provisions and Water) Regulations 1989

Bahamas Merchant Shipping Act
- 117, Allowance for short or bad provisions
- 118, Weights and measurements to be kept
- 120, Regulations respecting crew accommodation

Cyprus

Circulars
- 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95
- 18.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 92 concerning Crew Accommodation on Board Ship (Revised 1949) Ratification Law 14(III)/95
- 11.12.2006: Measures to Enhance Flag State Control over Safety Standards of Cyprus Ships

Liberia
None identified at time of publication

Malta
- Chapter 234, Merchant Shipping Act
  - Part I, Preliminary, paragraph 2
  - Part IV, Accommodation, Provisions and Health, paragraphs 148-154
  - Part X, Regulations, Rules and orders, paragraph 375

Merchant Shipping Directorate
- MSD Notice No. 59, Merchant Shipping (Crew Accommodation) Regulations, 2004

Subsidiary Legislation
- 234.39, Merchant Shipping (Crew Accommodation) Regulations

Marshall Islands

Marine Notices
- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
- No. 5-034-1, Safety Inspections of Marshall Islands Ships
- No. 5-034-2, Alternate Safety Inspection Program
- No. 7-044-1, Accommodations, Recreational Facilities, Food, Catering and Water

Technical Circular
- No. 2, ILO Convention No. 92 and No. 133 Documents of Compliance

Continued on next page
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 3.1 Accommodation and recreational facilities, Continued

Marshall Islands (continued)

- **MI-300**: The Republic of the Marshall Islands Combined Publications Folder
  - **MI-103A**: Safety Code of Practice for Large Yachts
    - 5.6, Ventilators and Exhausts
    - 13.2.10, Lighting
    - 14.4.3.1 (Yachts 50 meters load line length and over or 500 GT and over), Ventilation Systems
    - 21.0, Accommodations
    - 22.6, Noise
    - 29.2.12, Crew accommodation (Surveys, Certification and Inspections)
  - **MI-103B**: Safety Code of Practice for Small Yachts
    - 5.6, Ventilators and Exhausts
    - 21.0, Accommodations
  - **MI-107**: The Maritime Act, 1990, as amended
    - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 863, Accommodations
  - **MI-108**: Maritime Regulations
    - Chapter 7 (Merchant Seafarers), 7.42.2, Hospital
    - Chapter 7 (Merchant Seafarers), 7.44, Accommodations, Recreational Facilities, Food, Water and Catering

Panama

- Panama Law Decree No. 8, Chapter 5, Accommodation and Food

Circulars

- 57, Regulations for Crew Accommodations
- 58, Regulations for Crew Accommodations
- 61, Regulations on Crew Accommodations for Vessels under 500 GRT
- 63, Surveys on Crew Accommodations
- 64, Exemption of the Requirements of Crew Accommodations
- 66, Certificate of Crew Accommodation – Procedures
- 120, Issuance of Crew Accommodation Certificates

United Kingdom

Statutory Instruments

- 2005 No. 1643: The Control of Noise at Work Regulations 2005
- 2006 No. 2739: The Control of Asbestos Regulations 2006

Merchant Shipping Act 1995 (c. 21)

- 43: Crew accommodation
- 44: Complaints about provisions or water
- 85: Safety and health on ships
- 94: Meaning of “dangerously unsafe ship”
- 95: Power to detain dangerously unsafe ship
- 96: References of detention notices to arbitration
- 97: Compensation in connection with invalid detention of ship
- 98: Owner and master liable in respect of dangerously unsafe ship

Continued on next page
Regulation 3.1  Accommodation and recreational facilities, Continued

United States
- 46 CFR 92: Subchapter I – Cargo and Miscellaneous Vessels: Construction and arrangement
- 46 CFR 97: Subchapter I – Cargo and Miscellaneous Vessels: Operations
- 46 CFR 108: Subchapter I-A – Mobile Offshore Drilling Units: Design and equipment
- 46 CFR 116: Subchapter K – Small Passenger Vessels Carrying More than 150 Passengers or with Overnight Accommodations for More than 49 Passengers: Construction and arrangement
- 46 CFR 168: Subchapter R – Nautical Schools: Civilian nautical school vessels
- 46 CFR 169: Subchapter R – Nautical Schools: Sailing school vessels
- 46 CFR 177: Subchapter T – Small Passenger Vessels (Under 100 Gross Tons): Construction and arrangement
- 46 CFR 190: Subchapter U – Oceanographic Research Vessels: Construction and arrangement

Other References
- IMO Principles of Safe Manning (Resolution A.890(21))
- IMO Principles of Safe Manning (Resolution A.955(23)) Amendments to Principles of Safe Manning
- ISF Guidelines on Good Employment Practice, section 4.5, Seafarers’ Welfare
- ILO Accident prevention on board ship at sea and in port, section 23, Safety in living accommodations
- ILO Ambient Factors in the Workplace
  - o 2.1, Role and obligations of the competent authority
  - o 2.2, General responsibilities of employers
  - o 5, Ionizing radiation
  - o 6, Electric and magnetic fields
  - o 7, Optical radiation
  - o 8, Heat and cold
  - o 9, Noise
  - o 10, Vibration
- ABS Guide for Crew Habitability on Ships, 2001
- WHO, International Medical Guide for Ships, Chapter 15, Environmental control on board ship
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 3.2 Food and catering

Bahamas

- Bulletin 26, Ship’s Cooks
- Merchant Shipping (Certification of Ships’ Cooks) Regulations 1981
- Merchant Shipping (Provisions and Water) Regulations 1989

Bahamas Merchant Shipping Act

- 116, Complaint as to provisions or water
- 117, Allowance for short or bad provisions
- 118, Weights and measurements to be kept
- 119, Regulations as to medical examination and cooking
- 121, Ship to carry certified cook

Cyprus


Circulars

- 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95
- 18.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 92 concerning Crew Accommodation on Board Ship (Revised 1949) Ratification Law 14(III)/95
- 23.03.1999: Special training program for catering and other personnel on board passenger and ro-ro passenger ships not employed or engaged in any capacity as part of the ship’s compliment with designated safety or pollution duties in the operation of the ship.
- 17.06.1999: Special training program for catering and other personnel on board passenger and ro-ro passenger ships not employed or engaged in any capacity as part of the ship’s compliment with designated safety or pollution duties in the operation of the ship.
- 11.12.2006: Measures to Enhance Flag State Control over Safety Standards of Cyprus Ships

Liberia

- RLM-108, section 10.315, Food and Water

Malta

- Chapter 234, Merchant Shipping Act
  - Part I, Preliminary, paragraph 2
  - Part IV, Accommodation, Provisions and Health, paragraphs 148-154
  - Part X, Regulations, Rules and orders, paragraph 375

Merchant Shipping Directorate


Subsidiary Legislation

- 234.39, Merchant Shipping (Crew Accommodation) Regulations

Continued on next page
### Regulation 3.2  Food and catering, Continued

<table>
<thead>
<tr>
<th>Marshall Islands</th>
<th>Marine Notices</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands</td>
</tr>
<tr>
<td></td>
<td>• No. 5-034-1, Safety Inspections of Marshall Islands Ships</td>
</tr>
<tr>
<td></td>
<td>• No. 5-034-2, Alternate Safety Inspection Program</td>
</tr>
<tr>
<td></td>
<td>• No. 7-044-1, Accommodations, Recreational Facilities, Food, Catering and Water</td>
</tr>
<tr>
<td>MI-300:</td>
<td>The Republic of the Marshall Islands Combined Publications Folder</td>
</tr>
<tr>
<td></td>
<td>• MI-103A: Safety Code of Practice for Large Yachts</td>
</tr>
<tr>
<td></td>
<td>• 21.5, Food Preparation and Storage</td>
</tr>
<tr>
<td></td>
<td>• MI-103B: Safety Code of Practice for Small Yachts</td>
</tr>
<tr>
<td></td>
<td>• 21.2.5, Galley</td>
</tr>
<tr>
<td></td>
<td>• MI-108: Maritime Regulations</td>
</tr>
<tr>
<td></td>
<td>• Chapter 7 (Merchant Seafarers), 7.44, Accommodations, Recreational Facilities, Food, Water and Catering</td>
</tr>
<tr>
<td>Panama</td>
<td>Law Decree No. 8, Chapter 5, Accommodation and Food</td>
</tr>
</tbody>
</table>

### Statutory Instruments

<table>
<thead>
<tr>
<th>United Kingdom</th>
<th>Statutory Instruments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• 1989 No. 102: The Merchant Shipping (Provisions and Water) Regulations 1989</td>
</tr>
<tr>
<td>Merchant Shipping Act 1995 (c. 21)</td>
<td>• 44: Complaints about provisions or water</td>
</tr>
</tbody>
</table>

### United States

|                  | 46 CFR 72: Subchapter H – Passenger Vessels: Construction and arrangement |
|                  | 46 CFR 78: Subchapter H – Passenger Vessels: Operations |
|                  | 46 CFR 92: Subchapter I – Cargo and Miscellaneous Vessels: Construction and arrangement |
|                  | 46 CFR 97: Subchapter I – Cargo and Miscellaneous Vessels: Operations |
|                  | 46 CFR 108: Subchapter I-A – Mobile Offshore Drilling Units: Design and equipment |
|                  | 46 CFR 169: Subchapter R – Nautical Schools: Sailing school vessels |
|                  | 46 CFR 190: Subchapter U – Oceanographic Research Vessels: Construction and arrangement |

### Other References

|                  | ILO, Accident prevention on board ship at sea and in port, chapter 22, Working in galleys, pantries and other food handling areas |
|                  | ISF, Guidelines on Good Employment Practice, section 4, Health, Safety and Welfare |
|                  | ILO, Ambient Factors in the Workplace, section 2.2, General responsibilities of employers |
Appendix 6  Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 4.1  Medical care on board ship and ashore

Bahamas
- Merchant Shipping (Medical Stores) Regulations 1986
- Merchant Shipping (Medical Stores) Regulations 1986 as amended (UK), Regulation 3 and Table

Bulletins
- 7, Emergency Response Officer
- 27, Medical Examinations

Bahamas Merchant Shipping Act
- 48, Infancy and other incapacity
- 113, Property of deceased seaman
- 114, Delivery of property of deceased seaman
- 115, Forgery of document to obtain property of deceased seaman
- 122, Scales of medical stores
- 123, Expenses of medical treatment, etc.
- 124, Medical Practitioner to be carried

Cyprus
Circulars
- 30.05.1983: Medical first aid for use in accidents, involving dangerous goods. MFAG [(7)]
- 24.11.1984: Code of Safe Practice for Solid Bulk Cargoes
- 13.04.1987: I.M.O. Recommendations on the Safe Use of Pesticides on Board Ships (also in Greek) [(1)]
- 24.01.1995: Ratification by the Republic of Cyprus of the ILO No. 58 Convention fixing the Minimum Age for the Admission of Children to Employment at Sea (Revised 1936) Ratification Law 8(III)/94
- 15.07.1998: IMO Recommendations on the safe use of pesticides in ships
- 16.03.2001: List of Publications to be placed on board ships flying the Cyprus flag

Liberia
None available at the time of publication.

Malta
- Chapter 234, Merchant Shipping Act
  - Part IV, Discharge of seamen, paragraph 129A
  - Part IV, Accommodation, Provisions and Health, paragraph 152
  - Part IV, Deceased and distressed seamen and seamen left behind, paragraph 158
  - Part X, Regulations, Rules and orders, paragraph 375
- Chapter 352, Malta Maritime Authority Act
  - Part I, Constitution, Composition and Functions of the Authority, paragraph 6

Continued on next page
Regulation 4.1 Medical care on board ship and ashore, Continued

Malta (continued)
- Chapter 363, Local councils Act
- Function of Local councils, Procedure and Meetings, paragraph 3, Chapter 424, Occupational Health and Safety Authority Act, paragraph 9

Merchant Shipping Directorate
- MSD Notice No. 49, Merchant Shipping (Medical Stores) Regulations, 2002; Merchant Shipping (Medical Examination) (Amendment) Regulations, 2002; Merchant Shipping (Minimum Wage) Regulations, 2002
- MSD Notice No. 59, Merchant Shipping (Crew Accommodation) Regulations, 2004

Subsidiary Legislation
- 234.39, Merchant Shipping (Crew Accommodation) Regulations

Marshall Islands

Marine Guidelines
- No. 2-11-1, E-Addresses of Governmental Authorities for Facilitating the Exchange of Electronic Information
- No. 2-11-3, Guidelines on the Basic Elements of a Shipboard Occupational Health and Safety Program
- No. 7-42-1, Ship’s Medicine Chest

Marine Notices
- No. 2-011-2, International Maritime Dangerous Goods Code (IMDG Code) and Requisite Medical Oxygen Cylinder Requirements
- No. 5-034-1, Safety Inspections of Marshall Islands Ships
- No. 5-034-2, Alternate Safety Inspection Program

MI-300: The Republic of the Marshall Islands Combined Publications Folder
- **MI-103A**: Safety Code of Practice for Large Yachts
  - 23.0, Medical Stores
  - Annex 11, Medical Stores
- **MI-103B**: Safety Code of Practice for Small Yachts
  - 23.0, Medical Stores
  - Annex 8, Medical Stores
- **MI-107**: The Maritime Act, 1990, as amended
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 836, Wages, maintenance and cure for sick and injured seafarer
  - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations
- **MI-108**: Maritime Regulations
  - Chapter 6 (Marine casualties and Offenses)
  - Chapter 7 (Merchant Seafarers), 7.42, Medical Care of Officers and Crew
  - Chapter 7 (Merchant Seafarers), 7.42.2, Hospital
  - Chapter 7 (Merchant Seafarers), 7.42.5, Medicine Chest
  - Chapter 7 (Merchant Seafarers), 7.42.6, Medical Guide
  - Chapter 7 (Merchant Seafarers), 7.42.7. Medical Advice

Continued on next page
Regulation 4.1  Medical care on board ship and ashore, Continued

Panama
- Circular 44, Medical Certificate
- Law Decree No. 8
- Chapter 7, The Shipowner’s Obligations in Case of Sickness or Accident
- Chapter 9, Prevention of Seafarer’s Labor Accidents

United Kingdom
Statutory Instruments
- 1995 No. 1802: The Merchant Shipping and Fishing Vessels (Medical Stores) Regulations 1995
- 2002 No. 2055: The Merchant Shipping (Medical Examination) Regulations 2002
- 2005 NO. 1919: The Merchant Shipping (Medical Examination) (Amendment) Regulations 2005

Merchant Shipping Act 1995 (c. 21)
- 28: Seamen left behind abroad otherwise than on discharge
- 29: Discharge of seamen when ship ceases to be registered in United Kingdom
- 45: Expenses of medical and other treatment during voyage
- 53: Medical treatment on board ship

United States
- 46 CFR 4: Subchapter A – Procedures Applicable to the Public: Marine casualties and investigations
- 46 CFR 14: Subchapter B – Merchant Marine Officers and Seamen: Shipment and discharge of merchant mariners
- 46 CFR 92: Subchapter I – Cargo and Miscellaneous Vessels: Construction and arrangement
- 46 CFR 108: Subchapter I-A – Mobile Offshore Drilling Units: Design and equipment
- 46 CFR 168: Subchapter R – Nautical Schools: Civilian nautical school vessels
- 46 CFR 169: Subchapter R – Nautical Schools: Sailing school vessels
- 46 CFR 190: Subchapter U – Oceanographic Research Vessels: Construction and arrangement
- 46 CFR 332: Subchapter I-A – National Shipping Authority: Repatriation of seamen

Continued on next page
Regulation 4.1 **Medical care on board ship and ashore,** Continued

Other References

- ILO, Accident prevention on board ship at sea and in port, section 2.1.10, General duties and responsibilities
- ILO, Ambient Factors in the Workplace
- 2.2, General responsibilities of employers
- 2.3, General duties of workers
- 2.4(b)(ii), General responsibilities of suppliers, manufacturers, designers and architects
- 2.5, Rights of workers
- 2.6.2, Cooperation
- 3.1, Assessment of hazards and risks and prevention and control measures
- 3.2, Review of assessment
- 3.3, Prevention and control
- 3.4, Surveillance of the working environment
- 3.5, Workers’ health surveillance
- 4, Hazardous substances
- ISF, Guidelines on Good Employment Practice
  - 4.1, Health and Medical Care On Board
  - 4.2, Sick Pay and Medical Costs
- International Aeronautical and Maritime Search and Rescue Manual, Volumes I - III
- IMO International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended
- IMO, International Maritime Dangerous Goods Code, Supplement, Appendix 14, List of medicines and equipment
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 4.2 Shipowner’s liability

Bahamas
- Merchant Shipping Act, 80, Crew agreement
- Merchant Shipping Act, 81, Contents of crew agreement
- Merchant Shipping Act, 82, Crew agreement of foreign-going ship
- Merchant Shipping Act, 83 Further provisions as to crew agreement
- Merchant Shipping Act, 123, Expenses of medical treatment, etc.
- Merchant Shipping Act, 124, Medical Practitioner to be carried

Cyprus
- Circulars
  - 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95
  - 01.03.2002: Rescue Coordination Center

Liberia
- RLM-107
  - 336, Wages, Maintenance and Cure for Sick and Injured Seaman
  - 336A, Benefit of Compensation for Loss of Life
  - 337, Wrongful Death
  - 338, Death on Board
  - 339, Issuance of Death Certificate
  - 340, Burial Expenses
- RLM-108
  - 10.296, Master’s Duties and Responsibilities
  - 10.318, Employment Conditions
  - 10.320, Shipping Articles
  - 10.336, Benefit of Compensation for Loss of Life
- RLM-300
  - SEA-002, Articles of Agreement between the Master and Seafarers in the Merchant Service of the Republic of Liberia

Malta
- Chapter 234, Merchant Shipping Act
  - Part II, Special privileges, paragraph 50
  - Part IV, Deceased and distressed seamen and seamen left behind, paragraph 168A
  - Part IX, Liability of shipowners, paragraph 347-362
  - Part X, Regulations, Rules and orders, paragraph 375

Marshall Islands
- Marine Notices
  - No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
  - No. 2-011-4, Issuance and use of Statutory Certificates
  - No. 2-011-15, Plans for Cooperation Between Search and Rescue Services and Passenger Vessels

Continued on next page
### Regulation 4.2 Shipowner’s liability, Continued

<table>
<thead>
<tr>
<th>Marshall Islands (continued)</th>
<th>MI-300: The Republic of the Marshall Islands Combined Publications Folder</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>MI-107: The Maritime Act, 1990, as amended</strong></td>
</tr>
<tr>
<td></td>
<td>o Chapter 5 (Limitation of Liability for maritime claims), 510, The general limits</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 836, Wages, maintenance and cure for sick and injured seafarer</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 837, Benefit of compensation for loss of life</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 838, Wrongful death</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 839, Death on board</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 840, Issuance of death certificate</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 841, Burial expenses</td>
</tr>
<tr>
<td></td>
<td>o Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations</td>
</tr>
<tr>
<td></td>
<td><strong>MI-108: Maritime Regulations</strong></td>
</tr>
<tr>
<td></td>
<td>o Chapter 7 (Merchant Seafarers), 7.38.5, Responsibility of Shipowners/Operators</td>
</tr>
<tr>
<td></td>
<td>o Chapter 7 (Merchant Seafarers), 7.50, Benefit of Compensation for Loss of Life</td>
</tr>
<tr>
<td></td>
<td>o Chapter 7 (Merchant Seafarers), 7.52.1, Liability Insurance</td>
</tr>
<tr>
<td></td>
<td>o Chapter 7 (Merchant Seafarers), 7.52.3, Unemployment Compensation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Panama</th>
<th>Law Decree No. 8, Chapter 4, Employment Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Article 35</td>
</tr>
<tr>
<td></td>
<td>Law Decree No. 8, Chapter 7, The Shipowner’s Obligations in Case of Sickness or Accident</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>United Kingdom</th>
<th>Merchant Shipping Act 1995 (c. 21)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>45, Expenses of medical and other treatment during voyage</td>
</tr>
<tr>
<td></td>
<td>53, Medical treatment on board ship</td>
</tr>
<tr>
<td></td>
<td>55, Young persons</td>
</tr>
</tbody>
</table>

| United States                | Title 29, Labor                                                     |

<table>
<thead>
<tr>
<th>Other References</th>
<th>Seafarer’s Rights on Liberian Flag Ships [Center for Seafarer’s Rights, Seamen’s Church Institute of New York and New Jersey]</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Guidelines on Good Employment Practices</td>
</tr>
<tr>
<td></td>
<td>4, Health, Safety and Welfare</td>
</tr>
</tbody>
</table>
Appendix 6  Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

**Regulation 4.3  Health and safety protection and accident prevention**

**Bahamas**
- Merchant Shipping (Formal Investigations) Rules 1985
- Merchant Shipping (Entry into Dangerous Spaces) Regulations 1988
- Merchant Shipping (Guarding of Machinery and Safety of Electrical Equipment) Regulations 1988
- Merchant Shipping (Health & Safety – General Duties) Regulations 1984
- Merchant Shipping (Protective Clothing & Equipment) Regulations 1985
- Merchant Shipping (Safe Movement on Board Ship) Regulations 1988

**Bulletins**
- 4, Accident Reporting
- 7, Emergency Response Officer
- 29, Emergency Escape Breathing Devices
- 35, Certificate of Proficiency in Survival Craft and Rescue Boats
- 46, Basic Sea Training: STCW 1978 as amended Chapter VI/1
- 72, Enhancing Lifeboat Safety During Abandon Ship Drills
- 76, Carriage of Immersion Suits on Cargo Ships
- 83, Tanker Training Certificates and Endorsements
- 86, Approval of Training Centres and Courses
- 97, Fire Fighting Equipment
- 98, Servicing of Marine Evacuation System Inflatable Liferaft, Inflatable Rescue Boats, Inflatable Lifejackets and Hydrostatic Release Unit
- 100, Wires for Lifeboat Falls and Appliance-launched Liferafts

**Bahamas Merchant Shipping Act**
- 184, Crew to be sufficient and efficient
- 185, International Conventions on the Safety of Life at Sea
- 186, Distress signals
- 190, Ship to assist other in case of collision
- 240, Reporting requirement
- 241, Inquiries and investigations into shipping casualties
- 242, Preliminary inquiry
- 243, Formal investigation
- 244, Powers of wreck commissioner as to certificate
- 245, Inquiry into fitness or conduct of officer
- 246, Re-hearing and appeal
- 247, Delivery of certificates, etc.
- 248, Power of Minister to restore certificate
- 271, Inquiry into cause of death on board

*Continued on next page*
Regulation 4.3  Health and safety protection and accident prevention, Continued

Cyprus

•  Cyprus Code of Safe Working Practices for Seafarers

Circulars

•  31.12.1981: Reporting by shipowner and masters of accidents, violations of Regulations by Cyprus Ships
•  29.05.1982: Participation in the AMVER system [(7)]
•  1.06.1982: MERSAR-Merchant Shipping Search and Rescue Manual [(7)]
•  19.11.1982: Good Management Practice in Safe Ship Operation [(7)]
•  24.11.1984: Code of Safe Practice for Solid Bulk Cargoes
•  13.04.1987: I.M.O. Recommendations on the Safe Use of Pesticides on Board Ships (also in Greek) [(1)]
•  24.04.1987: Bulk Chemicals [(7)]
•  7.8.1991: Obligation to report casualties, personal accidents, or serious illnesses
•  7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95
•  31.10.1996: Oxygen analysis and gas detection equipment
•  15.07.1998: IMO Recommendations on the safe use of pesticides in ships
•  08.07.1999: Fire Control & Life Saving Appliances Plans
•  01.03.2002: Rescue Coordination Center
•  05.03.2002: Emergency Escape Breathing Devices (EEBD)
•  12.07.2005: Obligation to Report Casualties, Personal Accidents and Serious Illnesses
•  18.10.2005: Emergency Training and Drills – Launching of Lifeboats
•  26.5.2006: Measures to Prevent Accidents with Lifeboats
•  9.2.2007: Measures to Prevent Accidents with Lifeboats

Liberia

•  RLM-107, Chapter 9, Wrecks and Salvage: Investigation
•  RLM-108
  •  2.37, Prevention of Pollution from Ships
  •  2.40, Costs of Marine Investigation, International Participation and Nautical Training
  •  Chapter IX, Marine Casualties and Offenses
•  RLM-260, Rules for Marine Investigations and Hearings

Continued on next page

---

6 Cypriot Footnotes: (Note that Cypriot dates are in day.month.year format)
[1]:  indicates that the circular is superseded/or amended by a more recent circular.
[7]:  indicates that the circular contains information provided in the past by foreign authorities / organizations, and therefore it may be obsolete. Interested persons should directly contact the foreign authorities/organizations for further advice on its status.
Section 4.3 Health and safety protection and accident prevention, Continued

Liberia (continued)
- RLM-300
  - REP-001, Vessel Reporting Systems and EPIRBs to Assist Search and Rescue
  - REP-002, Reporting Certificate Fraud and Professional and Technical Incompetence
  - REP-003, Reporting Incidents of Fire on Board Passenger Ships
  - REP-004, Reporting Incidents of Piracy and Armed Attacks
  - SAF-001, Lifesaving Equipment
  - SAF-002, Prohibition of “Hot Work” in Tankers and Combination Carriers
  - SAF-003, Entering Enclosed Spaces Aboard Ships – Safety Precautions
  - SAF-004, Lifeboat Casualties/Drills

Malta
- “Safety at Sea”, Third Edition, by Malta maritime Authority
- Chapter 234, Merchant Shipping Act
  - Part IV, Accommodation, Provisions and Health, paragraph 153
  - Part V, Rules as to construction, equipment and safety, paragraphs 206A-308
  - Part VII, Inquiries and investigations as to shipping casualties, paragraphs 312-317
  - Part VII, Rehearing of investigations and inquiries, paragraph 325
  - Part X, Regulations, Rules and orders, paragraph 375
- Chapter 424, Occupational Health and Safety Authority Act

Subsidiary Legislation
- Malta Maritime Authority Act (Cap. 352), Commercial Vessels Regulations, 2002

Marshall Islands
- Marine Guidelines
  - No. 2-11-3, Guidelines on the Basic Elements of a Shipboard Occupational Health and Safety Program
  - No. 2-13-1, Useful and Practical Information about Cleansing Agents and Their Impact Upon Oil Pollution Prevention Equipment for Machinery Space Bilges
  - No. 5-34-1, Self-Inspection Program
  - No. 6-36-1, Guidelines on the Control of Ships in an Emergency

- Marine Notices
  - No. 1-000-2, Official and Other Forms and Publications
  - No. 1-000-3, Requirements on Carriage of Publications on Board Ships
  - No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands
  - No. 2-011-5, Lifesaving Equipment
  - No. 2-011-10, Fire Control Plans and Lifesaving Symbols
  - No. 5-034-1, Safety Inspections of Marshall Islands Ships
  - No. 5-034-2, Alternate Safety Inspection Program
  - No. 6-036-3, Vessel Reporting Systems to Assist Search and Rescue
  - No. 6-037-1, Casualty, Incident, and Accident Investigation

- Technical Circular
  - No. 3, Voluntary Compliance with ILO Convention No. 152

Continued on next page
Regulation 4.3 Health and safety protection and accident prevention, Continued

Marshall Islands (continued)

- **MI-300**: The Republic of the Marshall Islands Combined Publications Folder
  - **MI-103A**: Safety Code of Practice for Large Yachts
    - 13.0, Lifesaving appliances
    - 22.0, Protection of Personnel
    - 30.0, Accident Investigations
  - **MI-103B**: Safety Code of Practice for Small Yachts
    - 13.0, Lifesaving appliances
    - 31.0, Accident Investigations
  - **MI-107**: The Maritime Act, 1990, as amended
    - Chapter 7 (Investigation Wrecks and Salvage), Part II (Investigations)
    - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations
  - **MI-108**: Maritime Regulations
    - Chapter 6 (Marine casualties and Offenses)
    - Chapter 7 (Merchant Seafarers), 7.41.10, Accident Prevention
    - Chapter 7 (Merchant Seafarers), 7.43, Health and Safety Protection and Accident Prevention
  - **MI-260**: Rules for Marine Investigations and Hearings
    - Form MI-109, Report of Vessel Casualty or Accident
    - Form MI-109-1, Report of Personal Injury or Loss of Life

Panama

- Law Decree No. 8
- Chapter 7, The Shipowner’s Obligations incase of Sickness or Accident
- Chapter 9, Prevention of Seafarer’s Labor Accidents

Circulars

- 31, Investigation of Serious Casualties
- 32, Casualties Investigation of Panamanian Flag Vessels

*Continued on next page*
Regulation 4.3 Health and safety protection and accident prevention, Continued

**Statutory Instruments**

- 1988 No. 1638: The Merchant Shipping (Entry into Dangerous Spaces) Regulations 1988
- 1988 No. 2274: The Merchant Shipping (Safety at Work Regulations) (Non-UK Ships) Regulations 1988
- 2001 No. 54: The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Amendment) Regulations 2001
- 2005 No. 1643: The Control of Noise at Work Regulations 2005
- 2006 No. 2739: The Control of Asbestos Regulations 2006

**Merchant Shipping Act 1995 (c. 21)**

- 42: Obligation of shipowners as to seaworthiness
- 85: Safety and health on ships
- 86: Provisions supplementary to section 85: general
- 87: Provisions supplementary to section 85: dangerous goods
- 88: Safety of submersible and supporting apparatus
- 127: Training in safety matters
- 267: Investigation of marine accidents
- 268: Formal investigation into marine accidents
- 269: Re-hearing of and appeal from investigations
- 270: Rules as to investigations and appeals
- 271: Inquiries into deaths of crew members and others
- 272: Reports of and inquiries into injuries
- 273: Transmission of particulars of certain deaths on ships

*Continued on next page*
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 4.3 Health and safety protection and accident prevention, Continued

United States

- 46 CFR 15: Subchapter B – Merchant Marine Officers and Seamen: Manning requirements
- 46 CFR 97: Subchapter I – Cargo and Miscellaneous Vessels: Operations
- 46 CFR 108: Subchapter I-A – Mobile Offshore Drilling Units: Design and equipment
- 46 CFR 116: Subchapter K – Small Passenger Vessels Carrying More than 150 Passengers or with Overnight Accommodations for More than 49 Passengers: Construction and arrangement
- 46 CFR 169: Subchapter R – Nautical Schools: Sailing school vessels
- 46 CFR 177: Subchapter T – Small Passenger Vessels (Under 100 Gross Tons): Construction and arrangement

Continued on next page
Regulation 4.3  Health and safety protection and accident prevention, Continued

Other References

- ISF, Guidelines on Good Employment Practice, section 4.5, Seafarers’ Welfare
- ILO, Ambiant Factors in the Workplace
  - 2.2, General responsibilities of employers
  - 2.3, General duties of workers
  - 2.4, General responsibilities of suppliers, manufacturers, designers and architects
  - 2.5, Rights of workers
  - 2.6, Cooperation
  - 3, General principles of prevention and control
  - 4, Hazardous substances
  - 5, Ionizing radiation
  - 6, Electric and magnetic fields
  - 7, Optical radiation
  - 8, Heat and cold
  - 9, Noise
  - 10, Vibration
- ILO, Accident prevention on board ship at sea and in port
  - 2.3, General duties and responsibilities of shipowners
  - 2.4, General duties and responsibilities of the master
  - 2.5, General duties and responsibilities of seafarers
  - 2.6, General duties and responsibilities of shipboard safety & health committee
  - 2.7, General duties and responsibilities of the safety officer
  - 2.8, General duties and responsibilities of the safety representative(s)
  - 3, Reporting of accidents
  - 4, Permit-to-work systems
  - 5, General shipboard safety and health considerations
  - 6, Shipboard emergencies and emergency equipment
  - 7, Carriage of dangerous goods
  - 8, Safe access to ship
  - 10, Entering and working in enclosed or confined spaces
  - 16, Working with electricity and electrical equipment
  - 17, Working with dangerous and irritating substances and radiations
  - 21, Working in machinery spaces
  - 24, Specific vessel types
- International Maritime Dangerous Goods Code, Supplement
- Emergency Response Procedures for Ships Carrying Dangerous Goods
- Medical First Aid Guide for Use in Accidents Involving Dangerous Goods
- Reporting Procedures, General Principles for Ship Reporting Systems and Ship Reporting Requirements Including Guidelines for Reporting Incidents Involving Dangerous Goods, Harmful Substances and/or Marine Pollutants
- Recommendations on the Safe Use of Pesticides in Ships
- IMO Resolution A.852(20), Guidelines for a Structure on an Integrated System of Contingency Planning for Shipboard Emergencies
- IMO Resolution A.854(20), Guidelines for Developing Shipboard Emergency Plans for Ships Carrying Materials Subject to the INF Code
- MSC-MEPC.2/Circ.1, Disposal of Fumigant Material
- ILO Protection of workers’ personal data (1997)
Regulation 4.5 Social security

Bahamas
- Old Age, Disability, and Survivors [National Insurance (1972), amended 1999]
- Sickness and Maternity [National Insurance (1972), amended 1999]
- Work Injury [National Insurance (1972)]

Cyprus
Circulars
- 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95

Liberia
- RLM-107, 320, Shipping Articles Required
- RLM-108
- 10.318, Employment Conditions
- 10.320, Shipping Articles
- 10.336, Benefit of Compensation for Loss of Life
- Old Age, Disability, and Survivors [1988]

Malta
- Chapter 234, Merchant Shipping Act
- Part IV, Engagement of seamen, paragraph 122C
- Chapter 363, Local councils Act
- Function of Local councils, Procedure and Meetings, paragraph 33

Marshall Islands
Marine Notices
- No. 2-011-1, International Maritime Conventions and other Instruments Adopted by the Republic of the Marshall Islands

MI-300: The Republic of the Marshall Islands COMBINED Publications Folder
- MI-108: Maritime Regulations
  - Chapter 7 (Merchant Seafarers), 7.51.3.d, Profit-Sharing

Panama
- Law Decree No. 8, Chapter 4, Employment Contract. Article 47
- Old Age, Disability, and Survivors [1954 and 1991]
- Sickness and Maternity [1954]
- Work Injury [1970]

Continued on next page
Regulation 4.5  Social security, Continued

United Kingdom

- Old Age, Disability, and Survivors
- Consolidated Legislation, 1992
- Pension, 1995
- Welfare Reform and Pensions, 1999
- Child support, pension, and social security, 2000
- Sickness and Maternity
- National Health Service, 1977
- Consolidated Legislation, 1992
- Incapacity Benefit, 1994
- Welfare Reform and Pensions, 1999
- Work Injury, Consolidated Legislation, 1992
- Unemployment, Jobseekers, 1995
- Family Allowances
- Consolidated Legislation, 1992
- Tax Credits, 2002

United States

- Title 20, Employees’ Benefits

Other References
Appendix 6 Cross-references Between Maritime Labour Convention and Selected Flag States Regulations

Regulation 5.1.1 General principles

Bahamas
- Bulletin 3, Authorized Classification Societies
- Bulletin 8, Application of an Exemption from or an Extension to an International Convention Requirement
- Bulletin 66, Bahamian Initial and Annual Inspections
- Bulletin 85, Port State Control
- Merchant Shipping Act, 169, Appointment of inspectors
- Merchant Shipping Act, 170, Rights of inspection
- Merchant Shipping Act, 171, Record of inspections and certificates
- Merchant Shipping Act, 172, Annual inspections
- Merchant Shipping Act, Powers of inspectors

Cyprus
Circulars
- 10.07.1996: Establishment of a global network of inspectors of Cyprus ships [(1)]
- 16.09.1997: Programme for the inspection of Cyprus ships by authorized inspectors of Cyprus Ships stationed at different major ports of the world
- 16.03.1998: Detention of Cyprus Ships by Port State Control Authorities - Actions to be taken in order to improve performance
- 08.07.1999: Fire Control & Life Saving Appliances Plans
- 06.06.2002: International Safety Management (ISM) Code-Paris MOU Concentrated Inspection Campaign
- 15.07.2002: Instructions to Recognised Organisations to enhance Flag State Control over Safety Standards of Cyprus Ships; Instructions of the Department of Merchant Shipping of Cyprus to its Recognised Organization
- 11.12.2006: Measures to Enhance Flag State Control over Safety Standards of Cyprus Ships

Liberia
- RLM-107
  - 190, Marine Safety Inspection
  - 191, Regulations, Rules and Notices
- RLM-108
  - 2.35, Non-compliance with International Conventions and Agreements; Penalty
  - 2.59, Organizations recognized to act on behalf of the administration
  - 7.191, Marine Safety Inspections
- RLM-300
  - INS-001, Safety Inspections of Liberian Ships
  - INS-002, Alternate Safety Inspection Program
  - INT-001, International Maritime Conventions, Protocols and Amendments to which Liberia is a Party

Continued on next page

9 Cypriot Footnotes: (Note that Cypriot dates are in day.month.year format)
[1]: indicates that the circular is superseded/or amended by a more recent circular.
## Regulation 5.1.1 General principles, Continued

### Malta
- Chapter 49, Radiocommunications Act, Part II
- Chapter 234, Merchant Shipping Act
  - Part IV, Accommodation, Provisions and Health, paragraph 154
  - Part V, Unseaworthy ships, paragraph 280
  - Part X, Surveyors of ships, paragraphs 367-369
  - Part X, Regulations, Rules and orders, paragraph 375
  - Chapter 226, Territorial Waters and Contiguous Zone Act, paragraph 7

### Merchant Shipping Directorate
- MSD Notice No. 2, Flag State Ships Safety Inspections
- MSD Notice No. 11, Seaworthiness of ships of 25 years and over

### Subsidiary Legislation
- 234.23, Merchant Shipping (Medical Examination) Regulations
- Malta Maritime Authority Act (Cap. 352), Commercial Vessels Regulations, 2002
- 234.39, Merchant Shipping (Crew Accommodation) Regulations

### Marshall Islands
- **Marine Guidelines**
  - No. 5-34-2, Guidelines for Undergoing a Port State Control Inspection

- **Marine Notices**
  - No. 1-000-2, Official and Other Forms and Publications
  - No. 2-011-8, National Safety Requirements for Miscellaneous Vessels
  - No. 2-011-9, Mobile Offshore Drilling Units
  - No. 2-011-26, Application for Service Extensions/Dispensations

- **Marine Safety Advisories**
  - No. 22-03, Issuance of Exemption Certificates

- **Technical Circular**
  - No. 4, Issuance of Certificates and Documents of Compliance by Recognized Organizations
  - No. 13, Guidelines for Extending the Period of Validity of a Certificate

- **MI-300**: The Republic of the Marshall Islands COMBINED Publications Folder
  - **MI-103A**: Safety Code of Practice for Large Yachts
    - 28.0, Recognized organizations
  - **MI-103B**: Safety Code of Practice for Small Yachts
    - 27.0, Recognized organizations
  - **MI-107**: The Maritime Act, 1990, as amended
    - Chapter I (Maritime Administration), Part III (Vessel Inspections), 140, Marine safety inspections
    - Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 864, Maritime Administrator to make rules and regulations
  - **MI-108**: Maritime Regulations
    - Chapter 2 (Safety, Documentation and Identification of Vessels), 2.11.9, ILO Convention National Standards
    - Chapter 2 (Safety, Documentation and Identification of Vessels), 2.17, Authorized Agents for Measurement and Survey of Vessels
    - Chapter 5 (Marine Inspection)

*Continued on next page*
Regulation 5.1.1  General principles, Continued

Panama

- Law Decree No. 8, Chapter 10, Inspections

**Circulars:**
- 15, Statutory Certificates
- 20, Annual Safety Inspection Program
- 39, Exemption from the Requirements of International Conventions and National Regulations
- 130, Maritime Labor Inspections
- 136, Authorized Recognized Organizations (ROs)
- 150, MODU Annual Safety Inspection

United Kingdom

**Statutory Instruments**

**Merchant Shipping Act 1995 (c. 21)**
- Part X, Enforcement Officers and Powers

United States

- 46 CFR 2, Vessel inspections
- 46 CFR 31, Inspection and certification
- 46 CFR 71, Inspection and certification
- 46 CFR 91, Inspection and certification
- 46 CFR 107, Inspection and certification
- 46 CFR 115, Inspection and certification
- 46 CFR 126, Inspection and certification
- 46 CFR 176, Inspection and certification
- 46 CFR 189, Inspection and certification

Other References
Regulation 5.1.5 Flag State responsibilities – On-board complaint procedures

Bahamas

- Bulletin 85, Port State Control

**Bahamas Merchant Shipping Act**
- 109, Seamen may sue for wages
- 110, Restriction of jurisdiction of supreme court
- 111, Master’s remedy for wages and expenses Facilities for making complaints
- 125, Facilities for making complaints

Cyprus

- Merchant Shipping (Criminal and Disciplinary Liability of Seafarers, Suspension or Cancellation of Certificates) Law of 2000 (Law 106(I)/2000 as amended)

**Circulars**
- 7.03.1996: Ratification by the Republic of Cyprus of the ILO Convention No. 147 concerning Merchant Shipping (Minimum Standards) of 1976 Ratification Law 13(III)/95

Liberia

- RLM-107, section 359, Conciliation, Mediation and Arbitration of Labor Disputes, Differences or Grievances
- RLM-108, section 10.359, Conciliation, Mediation and Arbitration
- RLM-260, Rules for Marine Investigations and Hearings

Malta

- Chapter 234, Merchant Shipping Act
  - Part IV, Engagement of seamen, paragraph 120
  - Part IV, Power of court to rescind contracts, paragraph 147
  - Part IV, Accommodation, Provisions and Health, paragraph 150
  - Part IV, Facilities for making complaint, paragraph 155
- Chapter 387, Arbitration Act

Marshall Islands

**MI-300**: The Republic of the Marshall Islands Combined Publications Folder

**MI-107**: The Maritime Act, 1990, as amended
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 860, Strikes, picketing and like interference
- Chapter 8 (Merchant Seafarers), Part III (Rights and Duties of Seafarers), 861, Conciliation, mediation and arbitration of labor disputes, differences or grievances

**MI-108**: Maritime Regulations
- Chapter 7 (Merchant Seafarers), 7.46, Shipping Articles
- Chapter 7 (Merchant Seafarers), 7.53, Conciliation, Mediation and Arbitration

Panama

- Law Decree No. 8, Chapter 11, Court Rules

*Continued on next page*
### Regulation 5.1.5 Flag State responsibilities – On-board complaint procedures, Continued

<table>
<thead>
<tr>
<th>United Kingdom</th>
<th>Statutory Instruments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• 1989 No. 102: The Merchant Shipping (Provisions and Water) Regulations 1989</td>
</tr>
<tr>
<td></td>
<td>• 2003 No. 1636: The Merchant Shipping (Port State Control) (Amendment) Regulations 2003</td>
</tr>
<tr>
<td></td>
<td><strong>Merchant Shipping Act 1995 (c. 21)</strong></td>
</tr>
<tr>
<td></td>
<td>• 37: Right of person named in allotment to sue in own name</td>
</tr>
<tr>
<td></td>
<td>• 44: Complaints about provisions or water</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>United States</th>
<th>Statutory Instruments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• 46 CFR 327: Subchapter I-A – National Shipping Authority: Seamen's claims; administrative action and litigation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other References</th>
<th>Statutory Instruments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• ISF, Guidelines on Good Employment Practice, section 3.6, Grievance Procedures</td>
</tr>
<tr>
<td></td>
<td>• ILO, Ambient Factors in the Workplace</td>
</tr>
<tr>
<td></td>
<td>o 2.5, Rights of workers</td>
</tr>
<tr>
<td></td>
<td>o 2.6, Cooperation</td>
</tr>
</tbody>
</table>