



CHINA CLASSIFICATION SOCIETY

**GUIDELINES FOR IMPLEMENTATION
OF INSPECTIONS OF MARITIME
LABOUR CONDITIONS**

2020

FOREWORD

The Maritime Labour Convention, 2006 (hereinafter referred to as “the Convention”) was adopted by the International Labour Organization (ILO) at its 94th Session (and 10th Maritime Conference) in February 2006. It is a comprehensive instrument created by consolidating and updating the existing 68 ILO maritime labour conventions and related recommendations. Seafarers’ fundamental rights, employment, decent working and living conditions on board ship and social rights are core elements of the Convention, which has also introduced a flag State inspection and certification system of maritime labour conditions and a mandatory port State control system, with a view to global implementation of unified maritime labour standards.

In accordance with requirements of the Convention, as amended, IACS and ILO Guidelines for Flag State Inspections under the Maritime Labour Convention, 2006, China Classification Society (hereinafter referred to as “CCS”) has developed Guidelines for Implementation of Inspections of Maritime Labour Conditions (hereinafter referred to as “the Guidelines”), specifying requirements for CCS to implement the Convention: Chapter 1 provides the references and terminology used in the Guidelines, clarifies the responsibilities of CCS as a recognized organization authorized by flag States to carry out inspections of maritime labour conditions and specifies requirements for the shipowner requesting an inspection; Chapter 2 sets out requirements for implementation of inspections of maritime labour conditions, listing applicable standards which are to be complied with for ships built in different periods and navigating in different service areas respectively; Chapter 3 sets out requirements for issuing a maritime labour certificate; Detailed inspection requirements as give in Appendix III to V are supplementary provisions to the Guidelines.

As guidance notes for CCS to carry out inspections of maritime labour conditions complying with requirements of the Convention and flag States, the Guidelines also provide guidance for the shipowner to understand and implement requirements of the Convention and of flag States.

The Guidelines are published in both Chinese and English versions. In case of any different understanding to the English version, the Chinese version of the Guidelines is to be considered as solely authoritative.

CONTENTS

CHAPTER 1 GENERAL

- 1.1 General provisions
- 1.2 References
- 1.3 Application and fees
- 1.4 Responsibilities and limitations
- 1.5 Complaints and appeal
- 1.6 Confidentiality

CHAPTER 2 REQUIREMENTS FOR INSPECTIONS OF MARITIME LABOUR CONDITIONS

- 2.1 General provisions
- 2.2 Initial inspections of new ships
- 2.3 Initial inspections of existing ships
- 2.4 Intermediate inspections
- 2.5 Renewal inspections
- 2.6 Inspections of ships not to be certified under the Convention
- 2.7 Ships certified at the shipowner's request
- 2.8 Change of flag or change of shipowner
- 2.9 Substantial change of seafarer accommodation
- 2.10 Re-inspection requested by the shipowner
- 2.11 Additional inspections
- 2.12 Rectification of deficiencies

CHAPTER 3 CERTIFICATES AND REPORTS

- 3.1 General provisions
- 3.2 Certificates

Appendix I Form of Maritime Labour Certificate

Appendix II Form of Interim Maritime Labour Certificate

Appendix III Inspection Requirements for Each Area

Appendix IV Flowchart of Inspection and Certification Process

Appendix V Documents and Records to be Carried on board Ships

Appendix VI Certification Scenarios

CHAPTER 1 GENERAL

1.1 General provisions

1.1.1 Purposes

1.1.1.1 The Guidelines specify the specific requirements for inspection and certification by China Classification Society (hereinafter referred to as “CCS”), as authorized by the flag State, of maritime labour conditions under the Maritime Labour Convention, 2006 (hereinafter referred to as “the Convention”).

1.1.1.2 At the request of the shipowner, CCS will inspect whether maritime labour conditions are in compliance with the requirements of the Convention and of the flag State and issue the certificate after satisfactory inspection results.

1.1.1.3 The detailed provisions are given in the Guidelines for how maritime labour conditions are to be inspected in accordance with the relevant requirements of the Convention and of the flag State, including the requirements for fair terms of employment to which every seafarer has a right, decent working and living conditions on board ship, a workplace complying with safety standards, as well as health protection, medical care, welfare measures and other forms of social protection. The Guidelines are a guidance document for implementation of inspections of maritime labour conditions.

1.1.1.4 The Guidelines are also to provide guidance for shipowners in understanding and implementing the requirements of the Convention and of the flag State.

1.1.2 Definitions and scope of application

1.1.2.1 Unless provided otherwise, the following definitions and scope of application are applicable in the Guidelines:

(1) *Competent authority* means 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.

(2) *Maritime Labour Certificate* means a certificate issued by the competent authority of the flag State or a recognized organization duly authorized for this purpose, certifying, on completion of a satisfactory inspection of maritime labour conditions, that the working and living conditions of seafarers on the ship, including measures for ongoing compliance to be included in the Declaration of Maritime Labour Compliance, have been inspected and found to comply with the requirements of the Convention and of the flag State. The Declaration must be attached for the certificate to be valid, and the certificate is to be valid for a period not exceeding five years.

(3) *Declaration of Maritime Labour Compliance* means a comprehensive document of the ship implementing the requirements of the Convention and of the flag State. DMLC consists of two parts. Part I is to be drawn up by the competent authority of the flag State, stating national requirements implementing the Convention in respect to working and living conditions of seafarers, including ship-type specific requirements under national legislation and equivalences to and exemptions from the relevant requirements of the Convention; Part II is to be drawn up by the shipowner, identifying the measures adopted to comply with the requirements of the Convention and of the flag State in respect to working and living conditions of seafarers and the measures proposed to ensure ongoing compliance and continuous improvement.

- (4) *Requirements of the Convention* refer to the requirements in the Articles and in the Regulations and Part A of the Code of the Maritime Labour Convention, 2006, as amended.
- (5) *Requirements of the flag State* refer to national laws or regulations adopted by the flag State for implementing the Convention, or relevant Notices to Mariners published by the competent authority of the flag State, or collective bargaining agreements or other measures for implementing the mandatory requirements in the Articles and in the Regulations and Part A of the Code, taking into account the non-mandatory requirements in Part B of the Code.
- (6) *Seafarer* means any person who is employed or engaged or works in any capacity on board a ship to which the Convention applies.
- (7) *Seafarers' employment agreement* includes both a contract of employment and articles of agreement.
- (8) *Seafarer recruitment and placement service* means 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.
- (9) *Ship* means 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, covering all ships, whether publicly or privately owned, ordinarily engaged in commercial activities; other than those which are engaged in fishing or in similar pursuits and ships of traditional build such as dhows and junks; and other than those which are warships or naval auxiliaries.
- (10) *Existing ship* means a ship in service or a ship constructed, the keel of which is laid before the date when the Convention comes into force for the flag State.
- (11) *Certified ships* refer to those of 500 gross tonnage or over engaged on international voyages, or those of 500 gross tonnage or over flying the flag of a country and operating within and outside a port or between ports in another country, as covered by the Convention; or other ships inspected and certified at the shipowner's request.
- (12) *Ships not to be certified under the Convention* refer to those of below 500 gross tonnage engaged on international voyages, or of those below 500 gross tonnage flying the flag of a country and operating within and outside a port or between ports in another country, or engaged on domestic voyages, as covered by the Convention.
- (13) *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 the Convention, regardless of whether any other organizations or persons fulfill certain of the duties or responsibilities on behalf of the shipowner.
- (14) *Maritime labour conditions* refer to fair terms of employment to which every seafarer has a right, decent working and living conditions on board ship, a safe and secure workplace that complies with safety standards, as well as health protection, medical care, welfare measures and other forms of social protection under the Convention.
- (15) *Anniversary date* means the day and the month of each year which will correspond to the date of expiry of the Maritime Labour Certificate.
- (16) *Accommodations* are spaces in which accommodation and recreational facilities for seafarers are located, including sleeping rooms, mess rooms, sanitary accommodation, hospital accommodation and recreation accommodations as provided for the use of the seafarers.

(17) Abandon: a seafarer shall be deemed to have been abandoned where, in violation of the requirements of this Convention or the terms of the seafarers' employment agreement, the shipowner:

- (1) fails to cover the cost of the seafarer's repatriation; or
- (2) has left the seafarer without the necessary maintenance and support; or
- (3) has otherwise unilaterally severed their ties with the seafarer including failure to pay contractual wages for a period of at least two months.

(18) Contractual claim: means any claim which relates to 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.

(19) Technical deficiency: means a defect in, or failure in the operation of, a part of the ship's structure or its machinery, equipment or fittings.

(20) Serious Deficiency: means a deficiency that constitute a serious or repeated breach of the requirements of MLC, 2006 (including seafarers' rights), or represent a significant danger to seafarers' safety, health or security.

(21) Deficiency: means a deficiency other than serious deficiency and an observed situation where objective evidence indicates that the ship is not in conformity with MLC, 2006 or the relevant requirements of the flag State.

(22) Observation: means a statement of fact made during an inspection substantiated by objective evidence. It may also be an identified situation which may lead to a deficiency in the future if no action is taken.

1.1.2.2 The following abbreviations are applicable in the Guidelines:

- (1) ILO – International Labour Organization;
- (2) IMO – International Maritime Organization;
- (3) CCS – China Classification Society;
- (4) The Convention or MLC, 2006 – ILO Maritime Labour Convention, 2006;
- (5) The Guidelines – CCS Guidelines for Implementation of Inspections of Maritime Labour Conditions;
- (6) Certificate or MLC – Maritime Labour Certificate;
- (7) Declaration of Compliance or DMLC – Declaration of Maritime Labour Compliance;
- (8) STCW Convention – IMO International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;
- (9) SEA – Seafarers' employment agreement;
- (10) CBA – Collective bargaining agreement.

1.2 References

1.2.1 The Guidelines are developed in accordance with the requirements of ILO Maritime Labour Convention 2006, as amended, taking into account the following conventions, guidelines and protocols of international organizations as well as the rules of CCS:

- (1) ILO Guidelines for Flag State Inspections under the Maritime Labour Convention, 2006;
- (2) ILO Guidelines for Port State Control Officers Carrying out Inspections under the Maritime Labour Convention, 2006;
- (3) ILO Accommodation of Crews Convention (Revised), 1949 (No.92);

- (4) ILO Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No.133);
- (5) ILO Merchant Shipping (Minimum Standards) Convention, 1976 (No.147);
- (6) Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976;
- (7) IMO International Convention for the Safety of Life at Sea, 1974, as amended;
- (8) IMO International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;
- (9) IACS PR40, Rec.129.

1.3 Application and fees

1.3.1 Application

1.3.1.1 The shipowner requesting inspections of maritime labour conditions is to submit a written application to CCS or one of its local branches and where necessary, an inspection service agreement may be signed.

1.3.1.2 To ensure a smooth and timely inspection, the requesting shipowner is to provide CCS inspectors with necessary and convenient conditions for the inspection, including adequate time for the inspectors to carry out on-board inspection, the access to seafarer accommodation and interviewing, in private, with a representative number of seafarers, etc.

1.3.2 Fees

1.3.2.1 The requesting shipowner is to pay inspection fees, traffic fees and other relevant expenses in accordance with CCS Provisions of Inspection Fees or a service agreement.

1.3.2.2 The requesting shipowner is to pay relevant fees should the inspection be terminated due to him.

1.4 Responsibilities of parties

1.4.1 Responsibilities of CCS

1.4.1.1 For inspections of maritime labour conditions on behalf of the competent authority of the flag State under its authorization, CCS is to establish an effective system of inspection and certification so as to:

- (1) develop guidelines, instructions, circulars for implementing inspections and relevant requirements of quality system procedures as operative and guiding requirements for CCS inspections, in accordance with the requirements of the Convention and of the flag State. CCS inspections are to be in accordance with the requirements of the Convention and of the flag State and when any change is made thereto, the relevant CCS requirements are to be promptly updated;
- (2) set up an inspector team, implement training for qualification and competence of personnel performing inspections of maritime labour conditions and continuously update their knowledge;
- (3) assign inspectors having adequate qualification and experience, capable of carrying out inspections in accordance with the Convention, the requirements of the flag State, the Guidelines and other relevant requirements;
- (4) issue or renew the Maritime Labour Certificate;
- (5) maintain and update records of inspections of maritime labour conditions.

1.4.1.2 CCS is to carry out inspections of maritime labour conditions on behalf of the competent authority of the flag State when so authorized by it, and accepts supervision of the authorizing competent authority.

1.4.2 Responsibilities of inspectors

1.4.2.1 CCS inspectors carry out inspections of maritime labour conditions in accordance with the Convention, the requirements of the flag State, the Guidelines and other relevant requirements.

The inspectors are responsible for:

- (1) fulfilling the assigned responsibilities and implementing inspections in compliance with the applicable requirements;
- (2) communicating and clarifying the non-conformities to the shipowner and/or the ship immediately, verifying the effectiveness of corrective actions taken by the ship;
- (3) issuing the Interim Maritime Labour Certificate and endorsing the Maritime Labour Certificate;
- (4) preparing inspection reports and providing them to parties concerned;
- (5) complying with confidentiality requirements for inspections.

1.4.3 Responsibilities of the shipowner

1.4.3.1 The shipowner and/or the ship is to establish the provisions for documented management provisions, develop measures to implement the requirements of the Convention and of the flag State (such as DMLC Part II) and ensure ongoing and effective implementation. The inspection of maritime labour conditions carried out by CCS on behalf of the competent authority of the flag State does not exempt the shipowner and/or the ship from the responsibilities and obligations imposed by the requirements of the Convention and of the flag State.

1.4.3.2 During the inspection, the shipowner and/or ship is responsible for:

- (1) providing necessary documents as required;
- (2) appointing contact persons for inspectors; providing access and objective evidence as requested by inspectors;
- (3) developing and implementing corrective actions for deficiencies indicated by inspectors.

1.4.3.3 Where the certificate (where applicable) is issued on completion of an inspection of maritime labour conditions, the shipowner and/or the ship is responsible for:

- (1) continuously and effectively implementing on board the measures complying with the requirements of the Convention and of the flag State;
- (2) applying for inspections at intervals specified by the flag State, in order to maintain the validity of the certificate;
- (3) applying to CCS for interim inspection when any substantial change has been made to seafarer accommodation, or the flag or the shipowner has been changed;
- (4) notifying CCS in time of any case affecting the validity of the certificate (e.g. the ship is laid up).

1.4.4 Limitations of responsibilities

1.4.4.1 The inspection report submitted by CCS inspectors, MLC issued and DMLC ratified by CCS is mainly based on the documents provided by the shipowner/the ship, the information provided by seafarers and deficiencies newly found by inspector during on-board visual observations. In no case is CCS to be responsible for the authenticity and accuracy of the documents and information provided, or to take any responsibility for the loss of the applicant or third party due to inauthentic or inaccurate documents and information.

1.4.4.2 The inspection report submitted by CCS inspectors, MLC issued and DMLC Part II ratified by CCS constitute a statement that the ship complies with requirements of the Convention and of the flag State for working and living conditions of seafarers on the ship at the time of inspection. It is possible that changes made by the ship to the measures or failure in effective implementation of the measures thereafter will lead to noncompliance with the issued certificate or DMLC, or the conclusions of the inspection report. Compliance with the requirements of the Convention and of the flag State remains the responsibility of the shipowner and/or the ship.

1.4.4.3 The maintenance of the certificate depends on the ongoing compliance of the ship with the requirements of the Convention and of the flag State. CCS reserves the right to withhold or cancel the certificate when the shipowner and the ship refuse CCS inspectors access to the ship for inspection or there is evidence for failure of the shipowner and the ship in fulfilling their responsibilities and obligations as specified by the requirements of the Convention and of the flag State.

1.5 Complaints and appeal

1.5.1 Complaints

1.5.1.1 The shipowner and/or seafarers considering that the inspections of maritime labour conditions performed by CCS branches and inspectors fail to satisfy their application requirements, and dissatisfying about or having complaints against the service provided, may send such complaint in writing to the local branch where the inspectors serve. Where the opinion expressed by the branch is still not considered satisfactory, further complaint may be made directly to CCS Headquarters. The Headquarters will decide on the matter in accordance with CCS procedures.

1.5.2 Appeal

1.5.2.1 The shipowner and/or seafarers dissatisfying about the conclusion drawn or the measures taken by an inspection unit of CCS may appeal in writing to CCS Headquarters giving detailed reasons for its request. The Headquarters will decide on the matter in accordance with CCS procedures, and this ruling will be final.

1.6 Confidentiality

1.6.1 Subject to strict disciplinary measures, CCS inspectors will not reveal, even after leaving service, any commercial secrets or information kept confidential with commitment to the applicant which may come to their knowledge in the course of performing their duties.

CHAPTER 2 REQUIREMENTS FOR INSPECTIONS OF MARITIME LABOUR CONDITIONS

2.1 General provisions

2.1.1 The purpose of inspections of maritime labour conditions carried out by CCS upon authorization is to verify compliance of the ship with the requirements of the Convention, as amended and of the flag State.

2.1.2 CCS inspector may prepare for an inspection by reviewing various sources of information in order to gain an understanding of a ship's history. Information could be obtained from the individual ship files containing previous inspection reports and other databases. On-board inspections of maritime labour conditions are to be conducted by means of a random check of relevant information and records showing implementation of the requirements of the Convention and of the flag State, and by carrying out a visual observation of seafarer accommodation, recreational facilities, food and catering services, safe and secure workplace on board, interviewing seafarers in regard to implementation of the requirements of the Convention and of the flag State on board including interviewing, in private, with a representative number of seafarers and officers, identifying deficiencies noted during the inspection and verifying evidence provided by the shipowner and/or the ship for having rectified deficiencies or implemented corrective action on board. The inspection of seafarer accommodation during construction is to consist of plan approval and on-site inspection.

2.1.3 The requirements for inspections of maritime labour conditions with regard to initial inspections of new ships, initial inspections of existing ships, inspections of ships not to be certified under the Convention, and so on, are respectively given in the Guidelines. Basic steps of implementation of maritime labour conditions are shown in Appendix IV — Flowchart of Inspection and Certification Process of the Guidelines.

2.2 Initial inspections of new ships

The provisions of 2.2 of the Guidelines are applicable to ships built on and after the date when the Convention comes into force for the flag State. Initial inspections of new ships consist of inspections of new ships prior to and after entering service.

2.2.1 Inspection of new ships prior to entering service

2.2.1.1 Plan approval and on-site inspections during construction of the ship

In accordance with the requirements of the Convention and of the flag State, CCS carries out plan approval and on-site inspections of seafarer accommodation (including service compartments) and recreational facilities during construction. Detailed inspection requirements related to the construction and equipment of seafarer accommodation and recreational facilities are given in Part 1 of Appendix III — Inspection Requirements for Each Area of the Guidelines and other relevant provisions of IMO conventions and of the flag State.

(1) Prior to commencement of construction of seafarer accommodation of the ship, the shipowner or the shipbuilder or the designer is to submit design drawings and documents related to seafarer accommodation and recreational facilities to CCS plan approval department for examination. The drawings and documents related to seafarer accommodation are listed below, but not limited to:

- Arrangement plan (or booklet) of seafarer accommodation;
- List of equipment of seafarer accommodation (for information);
- Structural plan of accommodation (structural plan of superstructures, deckhouse etc.);
- Arrangement of accommodation's insulation;
- Arrangement of deck covering;
- Arrangement of accommodation air conditioning (heating);
- Arrangement of accommodation ventilation;
- Arrangement of accommodation lighting equipment;
- Arrangement of accommodation water-supplying piping;
- Arrangement of accommodation drain piping.

As a comprehensive plan of seafarer accommodation and equipment, the "Arrangement plan (or booklet) of seafarer accommodation", accompanied by other relevant plans, is to reflect the arrangement of seafarer accommodation and its space size; the equipment and arrangement of hospital accommodation, food storage spaces, sanitary facilities and furniture; and specify basic elements such as heating, ventilation, lighting, recreational facilities and thermal insulation of compartments, capable of clearly indicating the compliance of the equipment of the ship's accommodation and recreational facilities with Regulations 3.1 and 4.3 of the Convention. At least English notes and explanations are to be provided to the "Arrangement plan (or booklet) of seafarer accommodation" of ships engaged on international voyages.

The submitted plans and documents are to include other information as required by the competent authority of the flag State.

(2) A CCS plan approval department is to examine submitted plans and documents to confirm that:

- the purpose of each seafarer accommodation has been identified;
- the headroom and floor area of accommodation are marked;
- the location, insulation arrangement as well as heating, ventilation, lighting, water supplying and draining of seafarer accommodation comply with the requirements of the Convention and of the flag State and in addition, comply with other relevant provisions of the competent authority of the flag State and CCS rules;
- the measures for reducing noise and vibration as well as the effects of other ambient factors have been considered during design of seafarer accommodation;
- provision of furniture and sanitary facilities, etc. in seafarers' accommodation.

(3) During construction stage of the ship, CCS surveyor is to:

- examine the materials and equipment related to construction of seafarer accommodation;
- check that the arrangement, ventilation, lighting, air-conditioning (heating) and water supplying and draining systems of seafarer accommodation are consistent with approved design drawings;
- check facilities to be fitted and confirm the results of testing of equipment and systems.

(4) After completion of construction of the ship, the finished "arrangement plan (or booklet) of seafarer accommodation", containing any change made to the arrangement and equipment of seafarer accommodation during construction, is to be kept on board the ship.

2.2.1.2 Inspections of new ships on delivery

Based on completed inspections during construction, CCS inspector is to carry out an inspection to a new ship on delivery as follows:

- (1) Inspection, as far as reasonable and practicable, of the ship in accordance with 2.2.2 of the Guidelines, check the accommodation certificate/statement of compliance/survey report or relevant document in according to flag legislation;
- (2) Confirming that the ship has adequate procedures to comply with the requirements of the Convention and of the flag State;
- (3) Confirming that the master is familiar with the requirements of the Convention and the responsibilities for implementation; and
- (4) Confirming that relevant information has been submitted to the competent authority or recognized organization to produce a DMLC.

An Interim Maritime Labour Certificate may be issued after verification of the above.

2.2.2 Inspection of new ships after entering service

This is an overall inspection of maritime labour conditions on the basis of the inspection of the ship prior to entering service, generally within the six-month period of validity of the Interim Maritime Labour Certificate. Prior to this inspection, the ship is to establish and implement documented management provisions complying with the requirements of the Convention and of the flag State.

2.2.2.1 Review of DMLC Part II

The review of DMLC Part II submitted by the shipowner is to comply with 14 areas as required by the Convention and the requirements of the flag State, paying attention to the following:

- Implementation of the national requirements for the working and living conditions of seafarers on the ship, as stated by the competent authority of the flag State in DMLC Part I, giving special attention to any provisions confirmed by the competent authority of the flag State regarding requirements substantially equal to and exemption from those of the Convention;
- Review of other on-board documents, e.g. seafarers' employment agreements, occupational safety and health policy and programme, procedure for reporting accidents, etc.;
- Review of the measures for ongoing compliance, as stated in DMLC Part II, in conjunction with verifying implementation of such measures on board;
- An English-language translation of DMLC Part I and Part II where they are not in English, for ships engaged on international voyages;

2.2.2.2 On-board inspections

(1) On-board inspections, in the form of random checks, are a major link for inspections of maritime labour conditions.

(2) In accordance with the requirements of the Convention, the flag State and the Guidelines, the inspector carries out an inspection of compliance the flag State with the certification requirements of the Convention for 16 areas and with the requirements of the Convention for other areas, by means of checking DMLC Part I and Part II on board ship, examining relevant documents and records related to implementing the requirements of the flag State, conducting a visual observation of on-board implementation of these requirements, and interviewing, in private, with a representative number of seafarers. The inspector is to record any non-conformities found during the inspection and to verify corrective actions for deficiencies.

(3) The following 16 areas are to be inspected in accordance with the certification requirements of the flag State implementing the Convention:

- Minimum age
- Medical certification
- Qualifications of seafarers
- Seafarers' employment agreements
- Use of any licensed or certified or regulated private recruitment and placement service
- Hours of work or rest
- Manning levels for the ship
- Accommodation
- On-board recreational facilities
- Food and catering
- Health and safety and accident prevention
- On-board medical care
- On-board complaint procedures
- Payment of wages
- Financial security for repatriation
- Financial security relating to shipowners' liability

(4) The following 5 areas are to be examined in accordance with the requirements of the flag State:

- Entitlement to leave
- Repatriation
- Responsibilities of the shipowner
- Social security
- General principles

(5) In addition to the above provisions, the implementation of inspections of maritime labour conditions is to comply with other inspection requirements of the flag State implementing the Convention.

(6) The inspector is to use their professional judgment and expertise when determining the depth of inspection for each requirement, based on conditions on board the ship. When an inspection is conducted or when corrective actions for deficiencies are taken on board ship, all reasonable efforts are to be made to avoid a ship being unreasonably detained or delayed.

(7) For implementation of an on-board inspection, reference is made to Part 2 of Appendix III — Inspection Requirements for Each Area of the Guidelines, which summarizes detailed requirements for compliance of on-board inspections with the Convention, and specific measures to implement inspections in accordance with the Convention. Reference is also made to Appendix V — Documents and Records to be Carried on board Ships of the Guidelines, which lists documents and records the shipowner is to maintain on board to implement the Convention.

2.3 Initial inspections of existing ships

2.3.1 The requirements of 2.3 are applicable to ships constructed before the date when the Convention comes into force for the flag State and subject to an inspection of maritime labour conditions for the first time. CCS carries out inspections of maritime labour conditions for existing ships upon the shipowner's request. In addition to the requirements for construction and

equipment of seafarer accommodation, other requirements of the Convention regarding working and living conditions of seafarers and other relevant requirements of the flag State apply to existing ships.

2.3.2 Inspection of seafarer accommodation and equipment

(1) Ships certified for certification of inspection of crew accommodation

- For ships certified for certification of inspection of crew accommodation, the inspection of seafarer accommodation is to comply with requirements of the flag State listed in DMLC Part I.

(2) Ships not certified for certification of inspection of crew accommodation

- For ships not certified for certification of inspection of crew accommodation, the inspection of seafarer accommodation is to comply with requirements of the flag State listed in DMLC Part I.

Unless provided otherwise by the competent authority of the flag State, CCS inspector checks drawings and on-board conditions related to arrangement and equipment of seafarer accommodation in accordance with ILO Accommodation of Crews Convention (Revised), 1949 (No. 92), ILO Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133), ILO Merchant Shipping (Minimum Standards) Convention, 1976 (No.147) or Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976 (as applicable).

(3) Ships the construction of which is completed after the date when the Convention comes into force for the flag State

- ① For ships the construction of which is commenced before the date when the Convention comes into force for the flag State and completed after that date, the inspection is to comply with 2.2.1 of the Guidelines where the construction standards of such ships are in accordance with the requirements of the Convention.

- ② For ships the construction of which is commenced before the date when the Convention comes into force for the flag State and completed after that date, the inspection of seafarer accommodation and equipment during construction is to comply with the requirements of ILO Accommodation of Crews Convention (Revised), 1949 (No.92), ILO Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No.133), ILO Merchant Shipping (Minimum Standards) Convention, 1976 (No.147) or Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976 (as applicable) where the construction standards of such ships are in accordance with ILO No.92 and/or ILO No.133 and/or ILO No.147 Conventions.

- ③ Inspections of the ships on delivery are to comply with 2.2.1.2 of the Guidelines.

2.3.3 In addition to the above provisions, the implementation of inspections of maritime labour conditions of existing ships for the first time is to comply with 2.2.2 of the Guidelines.

2.4 Intermediate inspections

2.4.1 Upon the shipowner's request, CCS carries out intermediate inspections of ships between the second and third anniversary dates of the issuance of the maritime labour certificate. The scope and depth of the intermediate inspection is to be equal to an inspection for renewal of the certificate.

2.5 Renewal inspections

2.5.1 The ship is subject to a renewal inspection within a period of five years after issuance of the Maritime Labour Certificate.

2.5.2 Before an inspection of a ship is carried out, the inspector is to ascertain whether there are any outstanding deficiencies which have not been addressed.

2.5.3 A renewal inspection is to be carried out in accordance with 2.2.2.2 of the Guidelines to ensure ongoing compliance with the requirements of the Convention and of the flag State. Where the shipowner has revised DMLC Part II, the inspection is also to comply with 2.2.2.1 of the Guidelines.

2.6 Inspections of ships not to be certified under the Convention

2.6.1 The implementation of inspections of maritime labour conditions for ships below 500 gross tonnage engaged on international voyages, or below 500 gross tonnage flying the flag of a country and operating within and outside a port or between ports in another country, or engaged on domestic voyages is to comply with the same requirements for inspections of certified ships (see applicable provisions of 2.1 to 2.3 of the Guidelines.), except for those specified in 2.6.2 and 2.6.3 below.

2.6.2 No requirement for certification is given in the Convention for ships not to be certified under the Convention and they are not required to carry DMLC Part II.

2.6.3 The inspection of such ships is to be carried out every three anniversaries in accordance with 2.2.2.2 of the Guidelines.

2.7 Ships the certification of which is requested by shipowners

2.7.1 Where the certification of a ship which is not to be certified under the Convention is requested by the shipowner, DMLC Part II is to be submitted by the shipowner for examination.

2.7.2 For ships below 500 gross tonnage engaged on international voyages, or below 500 gross tonnage flying the flag of a country and operating within and outside a port or between ports in another country, or engaged on domestic voyages, the implementation of inspections of maritime labour conditions for certification is to comply with applicable provisions of 2.1 to 2.5 of the Guidelines.

2.8 Change of flag or change of shipowner

2.8.1 A Maritime Labour Certificate ceases to be valid when a ship changes flag or changes shipowner. The shipowner is to request a re-inspection and the DMLC is to be re-developed or revised.

2.8.2 As far as reasonable and practicable, the inspection of seafarer accommodation and recreational facilities and relevant plans and documents is to be carried out in accordance with applicable provisions of 2.3 of the Guidelines.

2.9 Substantial changes of seafarer accommodation

2.9.1 A Maritime Labour Certificate ceases to be valid when seafarer accommodation has been altered or substantial changes have been made to the construction and equipment of seafarer accommodation. The shipowner is to request a interim inspection in the absence of any instructions from the Administration.

2.9.2 Before substantial changes are made to seafarer accommodation, the shipowner is to

submit alteration plans to a CCS plan approval department for examination, and the alteration is to be inspected by CCS surveyor. Plan approval and alteration inspection are to comply with applicable provisions of 2.2.1 of the Guidelines. Upon completion of the alteration inspection, an inspection of the ship is to be carried out in accordance with 2.2.2.2 of the Guidelines. Where the shipowner has revised DMLC Part II, the inspection is also to comply with 2.2.2.1 of the Guidelines.

2.9.3 After completion of the alteration of seafarer accommodation, the finished “Arrangement plan (or booklet) of seafarer accommodation” is to be kept on board the ship.

2.10 Re-inspection requested by the shipowner

Where re-inspection of compliance of the ship with the requirements of the Convention and of the flag State is requested by the shipowner after the expiry of the Maritime Labour Certificate, the applicable requirements of 2.3 of the Guidelines are to be complied with.

2.11 Additional inspections

2.11.1 CCS will carry out an additional inspection in any of the following cases:

- (1) At the request of the competent authority of the flag State;
- (2) The ship is detained due to significant deficiencies regarding living and working conditions of seafarers or having MLC relative deficiencies and at the request of the competent authority of the port State/flag state;
- (3) Review of revised portions of DMLC Part II is requested by the shipowner;
- (4) Change of the ship’s name, the owner’s name or place of registry.
- (5) the management departments of CCS deem necessary after reviewing the reports regarding classification surveys, statutory surveys, flag State inspections demonstrating that the DMLC onboard ship has not been operated effectively or not in compliance with the MLC Convention.
- (6) CCS needs to follow up the effectiveness of corrective actions for deficiencies.
- (7) applying for re-issue of MLC certificate after it has been withdrawn.
- (8) additional audit is indicated in Appendix VI.

2.11.2 The scope and extent of an additional inspection is to be determined according to the requirements of the flag State or at the discretion of CCS according to the nature of the additional inspection.

2.11.3 Upon completion of an additional inspection, the inspector is to make an additional endorsement, on the Maritime Labour Certificate or issue new certificate , as appropriate..

2.12 Rectification of deficiencies

2.12.1 General deficiencies

For deficiencies found not to conform to the requirements of the Convention and/or of the flag State, CCS inspector is to communicate and clarify them to the ship in a timely manner. Before a MLC may be issued, endorsed or renewed the inspector would need to have confirmation either that all deficiencies noted during the inspection have been rectified or that a rectification action plan has been provided by the Shipowner and agreed by the inspector.

2.12.2 Serious deficiencies

2.12.2.1 When grading the deficiency, the nature and number of findings and frequency of the

deficiencies should also be taken into account: for example, several instances of deficiencies may be determined to be serious, even if they are not hazardous to the safety, health or security of seafarers. In other cases, a single deficiency could be considered as serious.

Whether or not deficiencies are determined to be SERIOUS will depend upon the professional judgment of the inspector concerned if:

- (1) the conditions on board are clearly hazardous to the safety, health or security of seafarers; or
- (2) the deficiency constitute a serious or repeated breach of the requirements of MLC, 2006 (including seafarers' rights).

2.12.2.2 A serious deficiency raised on a ship must be rectified or downgraded before a certificate is issued and the ship can sail. Downgrading can only take place after verifiable action has been taken to remove any significant danger to seafarers' safety, health or security (including seafarers' rights). A plan for implementation of corrective actions and rectification of outstanding deficiencies must be approved by the inspector where rectification is not possible at the time of inspection. The approved plan must be implemented within a time period not exceeding three (3) months from the date of inspection.

2.12.2.3 When a serious deficiency has been downgraded, at least one additional inspection should be carried out within an agreed time frame, in order to verify implementation of the corrective actions. A short term certificate valid up to three (3) months may be issued to allow for verification of necessary corrective actions during the additional inspection.

2.12.2.4 All serious deficiencies, including those that are downgraded during the inspection, shall be reported to the Administration.

2.12.3 When a technical deficiency is found on board, the inspector must first evaluate the seriousness of the deficiency. If the technical deficiencies affect the MLC certificate, they must be addressed and reported during the MLC inspection regardless of its seriousness.

If the technical deficiency does not relate to MLC matters, the CCS should report the deficiencies to the shipowner's representative on board. Where such technical deficiencies are considered to be serious, the shipowner and the flag State should be notified without delay.

An inspector identifying a technical deficiency deemed to present a serious threat to health, safety and security of seafarers, safety of the ship or the environment or that requires attention by class or the flag Administration should:

- (1) establish if the ship has taken appropriate action to correct the technical deficiency. In every case, the inspector should also establish that such technical deficiencies have been reported to the responsible Class Society and/or the flag Administration as appropriate;**
- (2) establish whether the technical deficiency constitutes or is symptomatic of a serious deficiency. If so, such deficiency should be handled in accordance with the requirements given in Section 2.12.2.**

2.12.4 Records

For ships that are issued a certificate upon an initial inspection, or for ships not to be certified under the Convention after satisfactory initial inspection, any significant deficiencies found during subsequent inspections carried out by CCS are to be recorded, together with the date when the deficiencies were found to have been remedied. This record, accompanied by an English-language

translation where it is not in English for ships engaged on international voyages, is to be placed on board.

CHAPTER 3 CERTIFICATES AND REPORTS

3.1 General provisions

3.1.1 Approving DMLC Part II

3.1.1.1 In accordance with DMLC Part I prepared by the competent authority of the flag State, CCS is to review DMLC Part II prepared by the shipowner. If CCS is satisfied, upon documentation review and on-board inspection, that the ship is in initial and ongoing compliance with the requirements of the Convention and of the flag State and measures for ensuring compliance in DMLC Part II are implemented, it will affix an approval stamp to DMLC Part II. Both the ship and the shipowner are to maintain a copy of DMLC containing Part I and approved Part II.

3.1.2 Inspection reports

3.1.2.1 The inspector is to prepare a report on the basis of information collected in respect to compliance of the ship with the requirements of the Convention and of the flag State, and according to deficiencies found during the inspection.

3.1.2.2 The inspection report is to be accurate and complete in reflecting the inspection, containing the following:

- (1) ship name and IMO number;
- (2) date of completion of the inspection;
- (3) the scope and objectives of the inspection;
- (4) serious deficiencies, deficiencies and observations issued during the inspection;
- (5) names of inspectors and their roles;
- (6) MLC Shipowner name.

3.2 Certificates

3.2.1 Maritime Labour Certificate

3.2.1.1 For ships of 500 gross tonnage or over engaged on international voyages, or 500 gross tonnage or over flying the flag of a country and operating within and outside a port or between ports in another country, CCS will issue the Maritime Labour Certificate if it is satisfied by the inspection that the ship is in initial and ongoing compliance with requirements of the Convention and of the flag State after approving DMLC Part II.

3.2.1.2 For ships below 500 gross tonnage engaged on international voyages, or below 500 gross tonnage flying the flag of a country and operating within and outside a port or between ports in another country or engaged on domestic voyages, where the shipowner has requested inspection and certification, CCS may issue the Maritime Labour Certificate upon satisfactory completion of inspection of compliance with the requirements of the Convention and of the flag State for certified ships.

3.2.1.3 The Maritime Labour Certificate is to be accompanied by DMLC, and an English translation is to be provided if they are not in English. The original certificate is to be kept on the ship, a copy of it by the shipowner and another copy is to be posted in a conspicuous place on the ship.

3.2.1.4 For ships that are issued a Maritime Labour Certificate:

- (1) the Certificate is to be valid for a period not exceeding five years. The ship is subject to an intermediate inspection carried out between the second and third anniversary dates of the Certificate. The Certificate is to be endorsed by CCS inspector upon satisfactory intermediate inspection;
- (2) when the renewal inspection has been completed within three months before the expiry of the existing Certificate, the new Certificate is to be valid from the date of completion of the renewal inspection for a period not exceeding five years from the date of expiry of the existing Certificate;
- (3) when the renewal inspection is completed more than three months before the expiry date of the existing Certificate, the new Certificate is to be valid for a period not exceeding five years starting from the date of completion of the renewal inspection;
- (4) when the ship is found to comply with applicable requirements at an additional inspection, CCS will make an additional endorsement to the Certificate.

3.2.2 Interim Maritime Labour Certificate

3.2.2.1 For ships of 500 gross tonnage or over engaged on international voyages, or 500 gross tonnage or over flying the flag of a country and operating within and outside a port or between ports in another country, CCS may issue an Interim Maritime Labour Certificate upon satisfactory inspection of compliance of the ship with the requirements of 2.2.1.2(1) to (4) of the Guidelines in any of the following cases:

- (1) new ships on delivery;
- (2) change of flag;
- (3) when a Shipowner assumes the responsibility for the operation of a ship which is new to that Shipowner.

3.2.2.2 An Interim Maritime Labour Certificate is to be valid for a period not exceeding six months from the date of completion of inspection. Within the six months, the ship is subject to an inspection in accordance with 2.2.2 of the Guidelines for the issue of a formal Maritime Labour Certificate. The period of validity of the Interim Maritime Labour Certificate is not allowed to be extended.

3.2.3 Form of certificates

3.2.3.1 The Maritime Labour Certificate and the Interim Maritime Labour Certificate are to be drawn up in the forms provided by competent authority of the flag State. Where no specific requirements are given by the competent authority of the flag State, refer to CCS forms of the Maritime Labour Certificate and the Interim Maritime Labour Certificate in Appendix I and Appendix II respectively of the Guidelines.

3.2.4 Expiry of certificates

3.2.4.1 A Maritime Labour Certificate ceases to be valid in any of the following cases:

- (1) rectification of deficiencies is not completed within the agreed time period;
- (2) where a periodical inspection has not been requested within the time window;
- (3) change of flag;
- (4) change of shipowner;
- (5) when the Shipowner does not make a request for inspection when substantial changes have been made to the structure (covered by Title 3 of MLC, 2006) of the ship;

(6) a serious deficiency cannot be rectified or downgraded or an acceptable rectification plan cannot be provided for deficiencies raised.

3.2.4.2 When CCS has reasons to believe that a certificate ceases to be valid, it will inform in writing the shipowner to whom the ship belongs and the competent authority of the flag State, referring to the ship and the shipowner involved as well as the reasons for invalidation of the certificate.

3.2.5 Re-issuance of certificates

3.2.5.1 In the case of the invalidation of a certificate as stated in 3.2.4, a new certificate may only be issued by CCS at the shipowner's request and upon satisfactory completion of an inspection to the same scope and extent as an initial inspection of existing ships. In the case of the invalidation of a certificate as stated in 3.2.4.1(3) to (5), where the shipowner and/or the ship have not provided complete compliance documents and information, an Interim Maritime Labour Certificate is to be issued following verification in accordance with 2.2.1.2(1) to (4) of the Guidelines.

3.2.5.2 When the certificate is lost or damaged, the shipowner is to promptly request a re-issuance of the certificate.

3.2.5.3 Whenever any change is made to what is stated in the certificate, the shipowner is to promptly request a revision or re-issuance of the certificate.

Appendix I Form of Maritime Labour Certificate

China Classification Society

Cert. No. _____

Maritime Labour Certificate

(Note: This Certificate is to have a Declaration of Maritime Labour Compliance attached)

(Official Seal)

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 **CHINA CLASSIFICATION SOCIETY**

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 _____

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 above-mentioned 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 _____

(Place of issue of the document)

Date of issue _____

China Classification Society

(Seal or stamp of China Classification Society, as appropriate)

① For ships covered by the tonnage measurement interim scheme adopted by the IMO, the gross tonnage is that which is included in the REMARK 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.

Endorsements for Intermediate Inspection and, if required, additional inspection

This is to certify that the ship was inspected in accordance with Standard 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 above-mentioned country's national requirements implementing the Convention.

Intermediate inspection: Signed _____
(To be completed between the second and third anniversary dates) (Signature of CCS inspector)
Place _____
Date _____

(Seal or stamp of China Classification Society as appropriate)

Additional Endorsements (if required)

This is to certify that the ship was subject to 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.

Additional inspection (if required): Signed _____
(Signature of CCS inspector)
Place _____
Date _____

(Seal or stamp of China Classification Society as appropriate)

Additional inspection (if required): Signed _____
(Signature of CCS inspector)
Place _____
Date _____

(Seal or stamp of China Classification Society as appropriate)

Additional inspection (if required): Signed _____
(Signature of CCS inspector)
Place _____
Date _____

(Seal or stamp of China Classification Society as appropriate)

Extension after renewal inspection (if required)

This is to certify that, following a renewal inspection, the ship was found to continue to be in compliance with national laws and regulations or other measures implementing the requirements of this Convention, and that the present certificate is hereby extended, in accordance with paragraph 4 of Standard A5.1.3, until _____ (not more than five months after the expiry date of the existing certificate) to allow for the new certificate to be

issued to and made available on board the ship.

Completion date of the renewal inspection on which this extension is based was: _____

Place _____

Date _____

China Classification Society

Appendix II Form of Interim Maritime Labour Certificate

China Classification Society

Cert. No. _____

Interim Maritime Labour Certificate

(Official Seal)

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 **CHINA CLASSIFICATION SOCIETY**

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 _____

This is to certify, for the purposes of Standard A5.1.3, paragraph 7, of the Convention, that:

- (a) this ship has been inspected, as far as reasonable and practicable, for the matters listed in Appendix A5-I to the Convention, taking into account verification of items under (b), (c) and (d) below;
- (b) the shipowner has demonstrated to CCS that the ship has adequate procedures to comply with the Convention;
- (c) the master is familiar with the requirements of the Convention and the responsibilities for implementation; and
- (d) relevant information has been submitted to CCS to produce a Declaration of Maritime Labour Compliance.

This Certificate is valid until _____ subject to inspections in accordance with Standards A5.1.3 and A5.1.4.

Completion date of the inspection referred to under (a) above was _____

Issued at _____

(Place of issue of the document)

Date of issue _____

(Signature of CCS inspector)

(Seal or stamp of China Classification Society, as appropriate)

① For ships covered by the tonnage measurement interim scheme adopted by the IMO, the gross tonnage is that which is included in the REMARK 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 III Inspection Requirements for Each Area

This Appendix is developed in accordance with the Maritime Labour Convention, 2006 and the Guidelines for Flag State Inspections under the Maritime Labour Convention, 2006 of International Labour Organization and the relevant requirements of the Guidelines. In the two parts of this Appendix, basic requirements* for inspection of maritime labour conditions in different stages are summed up and measures provided to implement these requirements, giving guidance to parties concerned for understanding and implementation of the Convention.

* As specified in the Maritime Labour Convention, 2006, the Regulations and the provisions of Part A of the Code are mandatory, and the provisions of Part B of the Code are not mandatory.

Part 1 Inspections during construction of ships

For inspections of construction and equipment of seafarer accommodation and recreational facilities during construction of the ship, including plan approval, inspections during construction and inspections of new ships on delivery, attention is to be paid to compliance with the following basic requirements, as applicable:

- Accommodation arrangement
 - The minimum permitted headroom in all seafarer accommodation shall be not less than 203 centimetres (Standard A3.1/6(a)). The competent authority may permit some limited reduction in headroom [Note: The information of such headroom is to be provided in the “arrangement plan (or booklet) of seafarer accommodation”];
 - In cargo ships, sleeping rooms shall be situated above the load line amidships or aft, except that in exceptional cases, sleeping rooms may be located in the fore part of the ship, but in no case forward of the collision bulkhead (Standard A3.1/6(c));
 - In passenger ships, and in special purpose ships where the flag State permit the location of sleeping rooms below the load line, attention is to be paid to that satisfactory arrangements are made for lighting and ventilation, and that in no case shall they be located immediately beneath working alleyways (Standard A3.1/6(d));
 - There shall be no direct openings into sleeping rooms from cargo and machinery spaces or from galleys, storerooms, drying rooms or communal sanitary areas (Standard A3.1/6(e));
 - Minimum requirement for seafarer sleeping rooms (Standard A3.1/9) [Note: The area of seafarer accommodation is to be indicated in the “arrangement plan (or booklet) of seafarer accommodation”; the sanitary space within a sleeping room intended for 1 seafarer may be included in the area of the sleeping room];

List of Collocation and Floor Areas of Seafarer Sleeping Rooms (Minimum Requirements)

Categories		Gross tonnage		
		< 3000	≥ 3000 ~ <10000	≥ 10000
Cargo ships	Sleeping room for 1 person	4.5 m ² *	5.5 m ²	7.0 m ²
	Sleeping room for 2 persons	7.0 m ²	×	×
	Sleeping room for Officer (no day room)	7.5 m ²	8.5 m ²	10.0 m ²
Passenger ships and special purpose ships	Sleeping room for 1 person	4.5 m ² *	5.5 m ² *	7.0 m ² *
	Sleeping room for 2 persons	7.5 m ²	7.5 m ²	7.5 m ²
	Sleeping room for 3 persons	11.5 m ²	11.5 m ²	11.5 m ²
	Sleeping room for 4 persons	14.5 m ²	14.5 m ²	14.5 m ²
	Sleeping room for more than 4 persons (special purpose ships only)	3.6 m ² /person	3.6 m ² /person	3.6 m ² /person
	Sleeping room for junior officer (no day room)	7.5 m ²	7.5 m ²	7.5 m ²
	Sleeping room for senior officer (no day room)	8.5 m ²	8.5 m ²	8.5 m ²
All types of ships	Sleeping rooms for master, chief engineer and chief navigating officer	In addition to sleeping rooms, an adjoining sitting room, day room or equivalent additional space is to be available. Ships of less than 3,000 gross tonnage may be exempted by the flag State from this requirement		

* The floor areas of sleeping rooms may be appropriately reduced according to the requirements of the flag State.

- Ships serve food and drinking water of appropriate quality, nutritional value and quantity that adequately covers the requirements of the ship (Regulation 3.2/1) [Note: The volume of refrigerated provision stores (m³) and their nominal or test temperature and the volume of dry provision stores (m³) and fresh water tanks (m³) are to be included in the “arrangement plan (or booklet) of seafarer 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 (Standard A3.1/12);
- Ship shall be provided with separate offices or a common ship’s office for use by deck and engine departments (Standard A3.1/15);
- Mess rooms shall be located apart from the sleeping rooms and as close as practicable to the galley (Standard A3.1/10(a));
- Mess rooms shall be of adequate size and comfort, taking account of the number of seafarers likely to use them at any one time (Standard A3.1/10(b));
- 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 (Guideline B3.1.6/3).

■ Configuration and insulation of accommodation

- The bulkheads of cargo and machinery spaces or galleys, storerooms, drying rooms or communal sanitary areas, 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 (Standard A3.1/6(e));
- 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

(Standard A3.1/6(f));

- The accommodation shall be adequately insulated (Standard A3.1/6(b));
- External bulkheads of sleeping rooms and mess rooms should be adequately insulated (Guideline B3.1.1/1);
- 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 (Guideline B3.1.1/1);
- Sleeping rooms, mess rooms, recreation rooms and alleyways in the accommodation space should be adequately insulated (Guideline B3.1.1/2);
- Measures should also be taken to provide protection from heat effects of steam or hot-water service pipes (Guideline B3.1.1/1);
- The bulkhead surfaces and deckheads should be of material with a surface easily kept clean; no form of construction likely to harbour vermin should be used (Guideline B3.1.1/3);
- The bulkhead surfaces and deckheads in sleeping rooms and mess rooms should be capable of being easily kept clean and light in colour with a durable, nontoxic finish (Guideline B3.1.1/4);
- 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 (Guideline B3.1.1/5);
- Where the floorings are made of composite materials, the joints with the sides should be profiled to avoid crevices (Guideline B3.1.1/6).

■ **Lighting**

- Proper lighting shall be provided (Standard A3.1/6(g));
- Subject to 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 (Standard A3.1/8);
- In all ships, electric light should be provided in the seafarer accommodation and 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 (Guideline B3.1.4/1);
- In sleeping rooms an electric reading lamp should be installed at the head of each berth (Guideline B3.1.4/2).

■ **Supply water, drainage and sanitary facilities**

- 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 (Standard A3.1/11(d));
- Hot and cold running fresh water shall be available in all wash places (Standard A3.1/11(f));
- Proper sufficient drainage shall be provided (Standard A3.1/6(g));
- 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 (Standard A3.1/11(a));
- There shall be sanitary facilities within easy access of the navigating bridge and the machinery space or near the engine room control centre (Standard A3.1/11(b));

- 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 (Standard A3.1/11(c));
- Where it is reasonable and practicable, sleeping rooms should be planned and equipped with a private bathroom, including a toilet (Guideline B3.1.5/2);
- Sanitary accommodation should be provided for the exclusive use of the occupants of the hospital accommodation; such sanitary accommodation should comprise a minimum of one toilet, one washbasin and one tub or shower (Guideline B3.1.8/4);
- Washbasins and tub baths should be constructed of approved material with a smooth surface not liable to crack, flake or corrode (Guideline B3.1.7/1);
- Sanitary accommodation intended for the use of more than one person should comply with the following (Guideline B3.1.7/3):
 - (a) floors should be of approved durable material, impervious to damp, and should be properly drained;
 - (b) bulkheads should be of steel or other approved material and should be watertight up to at least 23 centimetres above the level of the deck;
 - (c) the accommodation should be sufficiently lit, heated and ventilated;
 - (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
 - (e) where there is more than one toilet in a compartment, they should be sufficiently screened to ensure privacy.

■ **Ventilation and heating**

- Sleeping rooms and mess rooms shall be adequately ventilated (Standard A3.1/7(a));
- All sanitary spaces shall have ventilation to the open air, independently of any other part of the accommodation (Standard A3.1/7(c));
- 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 (Standard A3.1/7(b));
- Air-conditioning systems shall maintain the air at a satisfactory temperature and relative humidity, ensure a sufficiency of air changes in all air-conditioned spaces (Guideline B3.1.2/2(a));
- Air-conditioning systems shall not produce excessive noises or vibrations (Guideline B3.1.2/2(a));
- Air-conditioning systems shall facilitate easy cleaning and disinfection to prevent or control the spread of disease (Guideline B3.1.2/2(b));
- 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 (Guideline B3.1.3/3).

■ **Furniture and facilities**

- A separate berth for each seafarer shall be provided (Standard A3.1/9(d));

- The minimum inside dimensions of a berth shall be at least 198 centimetres by 80 centimetres (Standard A3.1/9(e));
- Berths should not be arranged in tiers of more than two (Guideline B3.1.5/7);
- In the case of berths placed along the ship's side, there should be only a single tier where a sidelight is situated above a berth (Guideline B3.1.5/7);
- The lower berth in a double tier should be not less than 30 centimetres above the floor (Guideline B3.1.5/8);
- The upper berth should be placed approximately midway between the bottom of the lower berth and the lower side of the deckhead beams (Guideline B3.1.5/8);
- The framework and the lee-board, if any, of a berth should be of approved material, hard, smooth, and not likely to corrode or to harbour vermin (Guideline B3.1.5/9);
- If tubular frames are used for the construction of berths, they should be completely sealed and without perforations which would give access to vermin (Guideline B3.1.5/10);
- Each berth should be fitted with a comfortable mattress with cushioning bottom or a combined cushioning mattress, including a spring bottom or a spring mattress; the mattress and cushioning material used should be made of approved material; stuffing of material likely to harbour vermin should not be used (Guideline B3.1.5/11);
- When one berth is placed over another, a dust-proof bottom should be fitted beneath the bottom mattress (Guideline B3.1.5/12);
- 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 is to be 500 litres; it is to be fitted with a shelf and be able to be locked by the occupant so as to ensure privacy (Standard A3.1/9(n));
- 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 (Standard A3.1/9(o));
- Mess rooms should be properly furnished and equipped, taking account of the number of seafarers likely to use them at any one time (Standard A3.1/10(b));
- Mess rooms should be equipped with tables and appropriate seats, fixed or movable, sufficient to accommodate the greatest number of seafarers likely to use them at any one time (Guideline B3.1.6/4);
- The furniture should be of smooth, hard material not liable to warp or corrode (Guideline B3.1.5/13);
- In mess rooms, the tops of tables and seats should be of damp-resistant material (Guideline B3.1.6/7);
- The mess rooms shall be equipped with: (a) a refrigerator, which should be conveniently situated and of sufficient capacity for the number of persons using the mess room or mess rooms; (b) facilities for hot beverages; and (c) cool water facilities (Guideline B3.1.6/5);
- Ships regularly trading to mosquito-infested ports shall be fitted with appropriate devices (Standard A3.1/16);
- Sleeping rooms should be fitted with curtains for the sidelights (Guideline B3.1.5/14);
- Sleeping rooms should be fitted with a mirror, small cabinets for toilet requisites, a book rack and a sufficient number of coat hooks (Guideline B3.1.5/15);

- Appropriately situated and furnished laundry facilities shall be available (Standard A3.1/13);
- The laundry facilities provided for seafarers' use should include washing machines, drying machines, irons and ironing boards (Guideline B3.1.7/4).

■ **Vibration, noise and accident prevention**

- In respect to accommodation and recreational and catering facilities, due consideration is to be given to preventing the risk of exposure to hazardous levels of noise and vibration and other ambient factors and chemicals on board ships (Standard A3.1/6(h));
- 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 (Guideline B3.1.12/1);
- Acoustic insulation or other appropriate sound-absorbing materials should be used in the construction and finishing of bulkheads, deckheads and decks within the sound-producing spaces as well as self-closing noise-isolating doors for machinery spaces (Guideline B3.1.12/2);
- Engine rooms and other machinery spaces should be provided, wherever practicable, with soundproof centralized control rooms for engine-room personnel; working spaces, such as the machine shop, should be insulated from the general engine-room noise (Guideline B3.1.12/3);
- No accommodation or recreational or catering facilities should be exposed to excessive vibration (Guideline B3.1.12/5).

■ **Recreational facilities**

- 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 (Standard A3.1/14);
- 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 (Standard A3.1/17);
- Furnishings for recreational facilities should as a minimum include a bookcase and facilities for reading, writing and, where practicable, games (Guideline B3.1.11/2) [Note: Other recreational facilities are normally decided by the shipowner].

Part 2 On board inspections

On board inspections of maritime labour conditions are to comply with the requirements of the Convention and of the flag State, including not only the certification requirements of the flag State for 14 areas, but also the requirements of the flag State for 5 other areas under the Convention. Except that there is no need to review and approve DMLC Part II for inspections of ships not to be certified under the Convention, inspections of maritime labour conditions for sea-going ships are to comply with the following requirements:

■ **Minimum age**

The inspection is to comply with the requirements of Regulation 1.1 and Standard A1.1 of the Convention:

- The employment, engagement or work on board a ship of any person under the age of 16 shall be prohibited (Standard A1.1/1);
- 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 (Standard A1.1/4);
- Night work of seafarers under the age of 18 shall be prohibited, but an exception may be made for recognized night training programmes (Night is defined in accordance with the flag State's law or practice. It covers a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m.) (Standard A1.1/2 and 3).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, crew list, seafarer certificates, table of working arrangements, etc., interviewing seafarers:

- Check whether all seafarers on board are over the age of 16;
- Check whether seafarers under the age of 18 were arranged to work at night or to work that is likely to jeopardize their health or safety;
- Check recent accident reports and safety committee reports to determine whether seafarers under the age of 18 were involved;
- Where the minimum age required by the flag State is over the age of 16 as required by the Convention, check whether this requirement of the flag State is complied with.

■ **Medical certificate**

The inspection is to comply with the requirements of Regulation 1.2 and Standard A1.2 of the Convention:

- The medical certificates shall meet the provisions of the flag State (Standard A1.2/2);
- All seafarers working on board should hold a valid medical certificate (Standard A1.2/1);
- A medical certificate issued in accordance with the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, is to be accepted (Standard A1.2/3);
- Each medical certificate shall state in particular that the hearing, sight and colour vision of the seafarer concerned is fit for the work he is to perform (Standard A1.2/6(a));
- Each medical certificate shall state in particular that 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 (Standard A1.2/6(b));
- 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 (Standard A1.2/7(a));
- A certification of colour vision (if applicable) shall be valid for a maximum period of six years (Standard A1.2/7(b));
- The period of validity for a medical certificate shall not be extended for a period exceeding three months (Standard A1.2/9);
- In urgent cases the competent authority of flag State may permit a seafarer to work without a valid medical certificate, provided that the period of such permission does not exceed three months and the seafarer concerned is in possession of an expired medical certificate of recent date (Standard A1.2/8);

- The medical certificate shall be issued by a duly qualified medical practitioner (Standard A1.2/4);
- The medical certificates for seafarers working on ships ordinarily engaged on international voyages must as a minimum be provided in English (Standard A1.2/10).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, crew list, medical certificates, certification of colour vision (if applicable), etc., interviewing seafarers:

- Check for valid medical certificates stating that seafarers are medically fit to perform their duties;
- Check the medical certificate to confirm whether the hearing, sight and colour vision of the seafarer concerned are fit for the work on board;
- Check that medical restrictions on work which are stated in the medical certificates for individual seafarers are being respected, and that seafarers are not assigned to or carrying out work contrary to these restrictions;
- Check that the medical certificates are within the period of validity or such period is not extended for more than three months;
- Check that any seafarer working without a valid certificate in urgent cases has the authorization from the competent authority of the flag State;
- Where a period of validity of medical certificates shorter than that required by the Convention is specified by the flag State, check whether this requirement of the flag State is complied with;
- Check that the medical certificates of seafarers on ships ordinarily engaged on international voyages are in English;
- Check that medical certificates have been issued by a duly qualified medical practitioner, with his or her contact address written thereon.

■ **Training and qualifications**

The inspection is to comply with the requirements of Regulation 1.3 of the Convention:

- Seafarers shall not work on a ship unless they are trained or certified as competent or otherwise qualified to perform their duties (Regulation 1.3/1);
- Training and certification in accordance with the mandatory instruments adopted by the International Maritime Organization shall be accepted (Regulation 1.3/3);
- Seafarers have successfully completed training for personal safety on board ship (Regulation 1.3/2).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, Minimum Safe Manning Document, certificates and endorsements for STCW Convention, training manuals, etc., interviewing seafarers:

- Check the Minimum Safe Manning Document to verify the required qualifications of the seafarers;
- Check for evidence confirming that all seafarers have successfully completed training for personal safety on board ship;
- Check documentary evidence from the shipowner that staff on board ship not covered by

- STCW Convention have any training and qualifications;
- Check the validity of certificates;
- Check a copy of training manual that is available to the crew.

■ **Recruitment and placement**

The inspection is to comply with the requirements of Regulation 1.4 and Standard A1.4 of the Convention:

- Where a shipowner has used a private seafarer recruitment and placement service, it must be licensed or certified or regulated in accordance with the Convention (Standard A1.4/2);
- Shipowners using services based in States not party to the Convention, must ensure, as far as practicable, that these services meet the requirements of the Convention (Standard A1.4/9);
- 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 (Standard A1.4/5(b)).

Implementing inspection by checking DMLC Part I and Part II, licenses or certificates of recruitment and placement services, national web sites of the competent authority of the flag State, interviewing seafarers:

- Check the national web sites of the competent authority of the flag State regarding the licensing or regulation of seafarer recruitment and placement services, prior to work on a ship;
- Where seafarers were recruited and engaged by the shipowner or through a public seafarer recruitment and placement service, this fact is to be noted and no further action is necessary;
- Check that a private seafarer recruitment and placement service used by the shipowner is licensed or certified or regulated in accordance with the Convention;
- If the seafarers were engaged through a seafarer recruitment and placement service based in a country that has not ratified the Convention, check documents showing that the shipowner has, as far as practicable, verified through a proper system that the service is operated consistently with the Convention;
- Check that the recruitment and placement service used does not operate a blacklist;
- Check that seafarers have not paid a fee or other charge to a recruitment or placement service.

■ **Seafarers' employment agreements**

The inspection is to comply with the requirements of Regulation 2.1 and Standard A2.1 of the Convention:

- All seafarers must have a copy of their seafarers' employment agreement (SEA) signed by both the seafarer and the shipowner or shipowner's representative (Standard A2.1/1(a));
- A SEA must, at a minimum, contain the matters set out in Standard A2.1/4(a) to (k) of the Convention:
 - (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 seafarers' 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; (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;
- 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 (Regulation 2.1/2);
 - A copy of a standard form of the seafarers' employment agreement shall be available in English for ships engaged on international voyages (Standard A2.1/2);
 - Where a collective bargaining agreement forms all or part of the SEA, a copy of that agreement shall be available on board and an English version of that agreement shall be provided for ships engaged on international voyages (Standard A2.1/2);
 - Minimum notice periods to be given by the seafarers and shipowners for the early termination of a seafarers' employment agreement shall not be shorter than seven days (Standard A2.1/5);
 - Seafarers shall be given a document containing a record of their employment on board the ship (Standard A2.1/1(e));
 - Seafarers' records of employment shall not contain any statement as to the quality of the seafarers' work or as to their wages (Standard A2.1/3).
 - A seafarer's employment agreement shall continue to have effect while a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships, regardless of whether the date fixed for its expiry has passed or either party has given notice to suspend or terminate it. For the purpose of this paragraph, the term:
 - (a) piracy shall have the same meaning as in the United Nations Convention on the Law of the Sea, 1982;
 - (b) armed robbery against ships means any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State's internal waters, archipelagic waters and territorial sea, or any act of inciting or of intentionally facilitating an act described above. Of inciting or of intentionally facilitating an act described above (Standard A2.1/7).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, seafarers' employment agreements, a collective bargaining agreement (where applicable), a copy of a standard form of the seafarers' employment agreement, seafarers' records of employment, etc., interviewing seafarers:

- Check that a SEA contains the matters set out in Standard A2.1/4(a) to (k) of the Convention;
- Check that a SEA complies with relevant requirements of the flag State;
- Check that a SEA does not contain clauses that violate seafarers' rights;
- Check that SEAs for seafarers of different nationalities comply with relevant requirements;
- Where a collective bargaining agreement forms all or part of the SEA, check that the agreement is available on board and an English version of that agreement is provided for ships engaged on international voyages;
- Check 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;
- Check that seafarers' employment agreement is available in English for ships engaged on international voyages;
- Check that seafarers are given a record of their employment on the ship;
- Check that seafarers' records of employment do not contain statements as to the quality of their work or as to their wages.
- Check that a SEA is in compliance with the requirements of the 2018 MLC, 2006 amendments

■ Wages

The inspection is to comply with the requirements of Regulation 2.2 and Standard A2.2 of the Convention:

- Seafarers must be paid at no greater than monthly intervals and in full for their work in accordance with their employment agreements (Standard A2.2/1);
- 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 (Standard A2.2/2);
- Seafarers shall be provided with a means to transmit all or part of their earnings to their families or dependants or legal beneficiaries on their request (Standard A2.2/3);
- Charges for remittances or allotment transmission services must be reasonable in amount, and the rate of currency exchange shall, in accordance with the flag State's laws or regulations, be at the prevailing market rate or the official published rate (Standard A2.2/5).
- Where a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships, wages and other entitlements under the seafarers' employment agreement, relevant collective bargaining agreement or applicable national laws, including the remittance of any allotments as provided in paragraph 4 of this Standard, shall continue to be paid during the entire period of captivity and until the seafarer is released and duly repatriated in accordance with Standard A2.5.1 or, where the seafarer dies while in captivity, until the date of death as determined in accordance with applicable national laws or regulations. The terms *piracy* and *armed robbery against ships* shall have the same meaning as in Standard A2.1, paragraph 7. (Standard A2.2/7)

Implementing inspection by checking documents and records such as DMLC Part I and Part II, seafarers' employment agreements, payroll records, monthly accounts of seafarers, etc., interviewing seafarers:

- Check that wages are being paid at intervals no greater than one month and in full in accordance with their employment agreements;
- Check that a monthly account (such as a wage slip) is provided to seafarers;
- Check that basic pay, allowance and compensation for all overtime hours are included in the monthly account;
- Check that exchange rates and charges for remittances and allotment transmission services are in line with relevant requirements;
- Check whether there is unreasonable deductions;
- Check that the wages set out in the SEA are consistent with the flag State's laws or regulations as applicable, or collective bargaining agreements;
- Check that only one set of wage accounts is in use.

■ Hours of work and hours of rest

The inspection is to comply with the requirements of Regulation 2.3 and Standard A2.3 of the Convention:

- The normal working hours' standard for seafarers shall be based on an eight-hour day with one day of rest per week and rest on public holidays; or seafarers' normal working hours are to be those determined in a collective agreement on a basis no less favourable than this standard (Standard A2.3/3);
- Maximum hours of work shall not exceed 14 hours in any 24-hour period and 72 hours in any seven-day period (Standard A2.3/5(a));
- Minimum hours of rest shall not be less than ten hours in any 24-hour period and 77 hours in any seven-day period (Standard A2.3/5(b));
- 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 (Standard A2.3/6);
- The seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work (Standard A2.3/8);
- 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; (b) the maximum hours of work or the minimum hours of rest required by the flag State's laws or regulations or applicable collective agreements (Standard A2.3/10);
- For ships engaged on international voyages, the table with the shipboard working arrangements shall be established in a standardized format in the working language or languages of the ship and in English (Standard A2.3/11);
- The seafarers shall receive a copy of the records of seafarers' daily hours of work or of their daily hours of rest which shall be endorsed by the master, or a person authorized by the master, and by the seafarers (Standard A2.3/12);
- The master of a ship has the right 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, until the normal situation has

been restored (Standard A2.3/14).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, table of working arrangements, seafarers' employment agreements, bridge and engine room logbooks, records of hours of work or hours of rest, etc., interviewing seafarers:

- Check that there is a table of shipboard working arrangements setting out requirements of the flag State for maximum hours of work or the minimum hours of rest;
- Check that the table of working arrangements is in a standardized format established by the competent authority of the flag State and is posted on board the ship;
- Check that there are up to date records of work or rest for each seafarer serving on the ship;
- Check other records, such as the bridge and engine room logbooks, to confirm compliance with the basic requirements concerning minimum hours of rest or maximum hours of work;
- Check that compensatory hours of rest are arranged for seafarers having excessive hours of work or they are paid for overtime worked;
- Check for seafarer fatigue, possibly indicated by excessive hours of work;
- Check that hours of work for seafarers under the age of 18 comply with requirements of the flag State;
- In respect to ships engaged on international voyages, check for a table of working arrangements or schedule in the working language or languages of the ship and in English.

■ Entitlement to leave

The inspection is to comply with the requirements of Regulation 2.4 and Standard A2.4 of the Convention:

- Seafarers shall be granted shore leave to benefit their health and well-being consistent with the operational requirements of their positions (Regulation 2.4.2);
- Seafarers shall be allowed paid annual leave in accordance with the flag State's laws and regulations implementing the Convention and the annual leave with pay entitlement shall be calculated on the basis of a minimum of 2.5 calendar days per month of employment (Standard A2.4/2);
- Any agreement to forgo the minimum annual leave with pay shall be prohibited (Standard A2.4/3).

Implementing inspection by checking documents and records such as seafarers' employment agreements, seafarers' records of employment, payroll records, etc., interviewing seafarers:

- Check the SEA to confirm that seafarers are provided with the annual leave with pay entitlement (at a minimum, to be calculated on the basis of 2.5 calendar days per month of employment);
- Check that seafarers are allowed an appropriate level of shore leave;
- Check that seafarers' employment and wage records, confirm that the requirement with regard to annual leave with pay entitlement is met.

■ Repatriation

The inspection is to comply with the requirements of Regulation 2.5 and Standard A2.5 of the Convention:

- Seafarers have a right to be repatriated at no cost to themselves (Regulation 2.5.1/1);
- Shipowners are required to provide financial security to ensure that seafarers are duly repatriated (Regulation 2.5.1/2);
- Ships shall carry and make available to seafarers a copy of the applicable national provisions regarding repatriation written in an appropriate language (Standard A 2.5.1/9);
- At a minimum seafarers are entitled to repatriation in the following circumstances: (a) if the seafarers' employment agreement expires while they are abroad; (b) when their seafarers' employment agreement is terminated by the shipowner or by the seafarer for justified reasons; (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 (Standard A2.5.1/1);
- Ships to which paragraph 1 or 2 of Regulation 5.1.3 applies, carry on board a certificate or other documentary evidence of financial security issued by the financial security provider. A copy shall be posted in a conspicuous place on board where it is available to the seafarers. Where more than one financial security provider provides cover, the document provided by each provider shall be carried on board(Standard A 2.5.2/6);
- The certificate or other documentary evidence of financial security shall contain the information required in Appendix A2-I of MLC2006. It shall be in English or accompanied by an English translation(Standard A 2.5.2/7).

Implementing inspection by checking documents and records such as seafarers' employment agreements, evidence of financial security for repatriation provided by the shipowner, relevant requirements of the flag State regarding repatriation, etc., interviewing seafarers:

- Check that a copy of requirements of the flag State regarding repatriation is available to seafarers;
- Check for evidence that financial security for repatriation has been provided by the shipowner and that seafarers are repatriated at no cost to themselves;
- check for compliance with any flag State requirement that seafarers under the age of 18 are to be repatriated after a prescribed period if it is apparent that they are unsuited to a career at sea;
- Check that the vessel is holding financial security documentary evidence containing the information required in Appendix A2-I of MLC2006, its copy has been posted in a conspicuous place on board where it is available to the seafarers.

■ **Manning levels**

The inspection is to comply with the requirements of Regulation 2.7 and Standard A2.7 of the Convention:

- Ships must 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 (Standard A2.7/1);
- Ships must comply with the manning levels listed on the Safe Manning Document (SMD) or equivalent issued by the competent authority of the flag State (Standard A2.7/1).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, Minimum Safe Manning Document, crew list, qualification certificates, table of working arrangements, etc., interviewing seafarers:

- Check crew list for number, category (such as cooks and those responsible for food preparation and those who are responsible for medical care) and qualifications of seafarers working on board;
- Check on-board table of working arrangements to confirm that safe manning requirements are being implemented.

■ **Accommodation and recreational facilities**

The inspection is to comply with the requirements of Regulation 3.1 and Standard A3.1 of the Convention:*

- Ships shall be in compliance with the minimum standards established by the flag State, providing and maintaining safe and decent accommodation and recreational facilities for seafarers working or living on ships, or both (Standard A3.1/1);
- Sleeping rooms and mess rooms shall be adequately ventilated (Standard A3.1/7(a));
- Adequate heat through an appropriate heating system shall be provided (Standard A3.1/7(d));
- Sleeping rooms and mess rooms shall be lit by natural light and provided with adequate artificial light (Standard A3.1/8);
- Hot and cold running fresh water shall be available in all wash places (Standard A3.1/11(f));
- Seafarer accommodation is clean (Standard A3.1/18);
- Sanitary facilities meet minimum standards of health and hygiene and reasonable standards of comfort (Standard A3.1/11);
- Separate hospital accommodation is to be used exclusively for medical purposes (Standard A3.1/12);
- A separate berth for each seafarer shall in all circumstances be provided (Standard A3.1/9(d));
- Frequent inspections of seafarer accommodation areas are carried out by the master or a designated person and relevant records maintained (Standard A3.1/18);
- Due regard shall be paid to accommodation and recreational and catering facilities with respect to preventing the risk of exposure to hazardous levels of noise and vibration and other ambient factors and chemicals on board ships (Standard A3.1/6(h)).

* The inspection of existing ships is to comply with the provisions of DMLC Part I drawn up by the competent authority of the flag State.

Implementing inspection by checking documents and records such as DMLC Part I and Part II, crew list, arrangement plan (or booklet) of seafarer accommodation, records of sanitary inspections of seafarer accommodation, occupational safety and health policy and programme, etc., interviewing seafarers:

- Carry out a visual observation of seafarer accommodation and mess rooms to check that: (a) they are kept clean; (b) they are not to harbour vermin; (c) no stores, equipment or cargo are stowed; (d) they are adequately ventilated; (e) doors are operated normally and lockable; (f) separate sleeping rooms are provided for men and for women;
- Carry out a visual observation of sanitary spaces to check that: (a) they are kept clean; (b)

sanitary facilities are functioning correctly; (c) sufficient drainage is provided; (d) floor tiles are in good condition; (e) there is no leakage; (f) hot and cold running fresh water is readily available; (g) all sanitary spaces have ventilation to the open air, independently of any other part of the accommodation; (h) doors are operated normally and lockable; (i) separate sanitary facilities are provided for men and for women;

- Carry out a visual observation of hospital accommodation to check that: (a) it is kept clean; (b) it is not to harbour vermin; (c) medical equipment and facilities are kept clean and tidy; (d) it is not used as seafarer accommodation; (e) the medicine chest is kept in the medical locker, and medical equipment and medical guide are carried on board; (f) doors are operated normally and lockable;
- Check the on-board records to confirm that frequent inspections are carried out;
- Check for necessary inspections of accommodation and recreational and catering facilities with respect to preventing the risk of exposure to hazardous levels of noise and vibration and other ambient factors and chemicals on board ships;
- Check the crew list compared to the number of sleeping rooms and berths;
- Check that furniture and facilities of sleeping rooms are in a good condition and meet required quantities;
- Check that air-conditioning (heating) systems function correctly, maintaining the air in the accommodation at a satisfactory temperature;
- Check that lighting is adequate for seafarer accommodation and corridors, with no loose electrical wires;
- Check that laundry facilities are adequate and functioning correctly;
- Check that the ship is provided with recreational facilities meeting minimum requirements.

■ **Food and catering**

The inspection is to comply with the requirements of Regulation 3.2 and Standard A3.2 of the Convention:

- Food and drinking water must be of appropriate quality, nutritional value and quantity, taking into account the requirements of the ship and the differing cultural and religious backgrounds of seafarers on the ship (Regulation 3.2/1);
- Seafarers on board a ship shall be provided with food free of charge during the period of engagement (Regulation 3.2/2);
- Seafarers working as ships' cooks must not be less than 18 years old (Standard A3.2/8);
- Seafarers employed as ships' cooks with responsibility for preparing food must be trained and qualified for their positions (Regulation 3.2/3);
- Catering staff shall be properly trained or instructed for their positions (Standard A3.2/2(c));
- Frequent documented inspections shall 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; (c) galley and other equipment for the preparation and service of meals (Standard A3.2/7).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, crew list, certificates of qualification as ships' cooks, records of supplies of food and drinking water, records of inspections of galleys and storerooms, menu plans of mess rooms, etc.,

interviewing seafarers:

- Check that frequent documented inspections are carried on board ships with respect to supplies of food and drinking water, galley and spaces used for handling and storage of food;
- Carry out a visual observation of galleys to check that: (a) they are kept clean; (b) they are not to harbour vermin; (c) hot and cold running fresh water is readily available; (d) sufficient drainage is provided; (e) refrigerators function correctly, kept clean and defrosted regularly; (f) oil drip trays are cleaned regularly; (g) floor tiles and wall tiles are not damaged;
- Check that air in the refrigerating chamber is maintained at a satisfactory temperature (in general, -18°C in refrigerated meat stores and 7°C in vegetable stores), the doors of the refrigerating chamber are capable of being operated from both sides, open outwards and alarm buttons are fitted within the chamber;
- Check that dry provision stores are adequately ventilated and not to harbour vermin;
- Check that suction pipes of fresh water tanks are closed;
- Check that cooks are not less than 18 years old;
- Check that cooks are qualified and have certificates of qualification as ships' cooks;
- Check that catering staff are properly trained and instructed for their positions;
- Review menu plans together with visual observation of food supplies and storage areas to ensure that the food supplied is varied in nature;
- Interview a representative number of seafarers that food and drinking water provided is of appropriate quality and quantity;
- Interview a representative number of seafarers that they are not charged for food.

■ **Medical care on board ship and ashore**

The inspection is to comply with the requirements of Regulation 4.1 and Standard A4.1 of the Convention:

- Seafarers must be covered by adequate measures for the protection of their health and have access to prompt and adequate medical care, including essential dental care, whilst working on board; shipowners shall allow seafarers the right to visit a qualified medical doctor or dentist without delay in ports of call, where practicable (Standard A4.1/1; A4.1/1(c));
- To the extent consistent with the flag State'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 (Standard A4.1/1(d));
- A standard medical report form are carried on board the ship for use by the ships' masters and relevant onshore and on-board medical personnel (Standard A4.1/2);
- All ships shall carry a medicine chest, medical equipment and a medical guide (Standard A4.1/4(a));
- 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 (Standard A4.1/4(b));
- 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 (Standard A4.1/4(c));
- Medical advice by radio or satellite communication to ships at sea, is available 24 hours a

day (Standard A4.1/4(d)).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, SEA, qualification certificates of seafarers on board to be in charge of medical care or competent to provide medical first aid, medical report forms, etc., interviewing seafarers:

- Check that medical care and health protection services while seafarers are on board ship are provided free of charge;
- Check that seafarers are given the right to visit a qualified medical doctor or dentist when calling at a port;
- Undertake visual observation to confirm that the ship is equipped with sufficient medical supplies including a medicine chest and equipment;
- Check that a medical guide as required by the Convention or the flag State is carried on board the ship;
- Check that medical report forms are carried on board the ship;
- Check the qualification of seafarers on board to be in charge of medical care or competent to provide medical first aid;
- Check that procedures are in place for radio or satellite communications for medical assistance;
- Check records and equipment to confirm that general provisions on occupational health protection and medical care are being observed.

■ **Shipowners' liability**

The inspection is to comply with the requirements of Regulation 4.2 and Standard A4.2 of the Convention:

- 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 the flag State's law, the seafarers' employment agreement or collective agreement (Standard A4.2.1/1(b));
- 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 (Standard A4.2.1/1(c));
- 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 (Standard A4.2.1/7);
- Ship carry on board a certificate or other documentary evidence of financial security issued by the financial security provider. A copy shall be posted in a conspicuous place on board where it is available to the seafarers. Where more than one financial security provider provides cover, the document provided by each provider shall be carried on board (Standard A4.2.1/11);
- The certificate or other documentary evidence of financial security shall contain the information required in Appendix A2-I of MLC2006. It shall be in English or accompanied by an English translation (Standard A4.2.1/14).

Implementing inspection by checking documents and records such as SEA, evidence of financial

security, procedures with respect to property that is left on board by sick, injured or deceased seafarers, etc., interviewing seafarers:

- Check the SEA to verify that seafarers have the coverage required by the flag State;
 - Check that the shipowner defrays the expense of medical care and board and lodging away from home for sick or injured seafarers;
 - Check that the shipowner has provided financial security to assure compensation for sick, injured or deceased seafarers;
 - Check for on-board procedures with respect to property that is left on board by sick, injured or deceased seafarers;
- Check that the vessel is holding financial security documentary evidence containing the information required in Appendix A4-I of MLC2006, its copy has been posted in a conspicuous place on board where it is available to the seafarers.

■ **Health and safety protection and accident prevention**

The inspection is to comply with the requirements of Regulation 4.3 and Standard A4.3 of the Convention:

- The flag State shall adopt laws and regulations and other measures, and set standards for occupational safety and health protection and accident prevention (Regulation 4.3/3);
- Seafarers on ships shall be provided with occupational health protection and live, work and train on board ship in a safe and hygienic environment (Regulation 4.3/1);
- Occupational safety and health policies and programmes are available on ships; reasonable precautions are taken to prevent occupational accidents, injuries and diseases on board ship (Standard A4.3/1);
- Special attention is paid to the safety and health of seafarers under the age of 18 (Standard A4.3/2(b));
- A ship safety committee, that includes participation by the seafarer safety representative, is required for ships with five or more seafarers (Standard A4.3/2(d));
- Occupational accidents, injuries and diseases are adequately reported (Standard A4.3/5(a));
- Measures shall be taken to bring to the attention of all seafarers information concerning particular hazards on board ships, for instance, by posting official notices containing relevant instructions (Standard A4.3/7).

Implementing inspection by checking documents and records such as DMLC Part I and Part II, occupational safety and health policies and programmes, reporting procedures for occupational accidents, accident reports, etc., interviewing seafarers:

- Check occupational safety and health policy and programme, to confirm that:
 - (a) it is consistent with requirements of the flag State;
 - (b) it is available to seafarers;
 - (c) it includes risk evaluation, training and instruction for seafarers;
 - (d) it pays special attention to the health and safety of young seafarers under the age of 18;
 - (e) adequate preventive measures are being taken;
 - (f) appropriate personal protective equipment is being used and maintained correctly.
- Check that a reporting procedure for occupational accidents is in place;

- Check relevant documents, such as the on-board occupational accident reports, and the reports of risk evaluations undertaken for the management of occupational safety and health on the ship;
- Check that a guide or instruction for occupational safety and health and accident prevention is available;
- Check that relevant occupational safety and health and accident prevention notices and official instructions with respect to particular hazards on the ships are posted on the ship in a location that will bring it to the attention of seafarers;
- Check that handrails, manropes and ladders on board ship are in good condition;
- Check that a safety committee is established on board a ship, check for the functions of the committee and the records and minutes of the meetings if the ship has five or more seafarers;
- Check that sufficient safety helmets, eye shields, ear plugs and gloves are provided on board;
- Check for oil pollution on grating floor plates in the engine room;
- Check that, with respect to health and safety protection and accident prevention, special consideration is given to any requirements of the flag State covering:
 - (a) general and basic provisions;
 - (b) structural features of the ship, including means of access and asbestos-related risks;
 - (c) machinery;
 - (d) the effects of the extremely low or high temperature of any surfaces with which seafarers may be in contact;
 - (e) the effects of noise in the workplace and in shipboard accommodation;
 - (f) the effects of vibration in the workplace and in shipboard accommodation;
 - (g) the effects of ambient factors, other than those referred to in subparagraphs (e) and (f), in the workplace and in shipboard accommodation, including tobacco smoke;
 - (h) special safety measures on and below deck;
 - (i) loading and unloading equipment;
 - (j) fire prevention and fire fighting;
 - (k) anchors, chains and lines;
 - (l) dangerous cargo and ballast;
 - (m) personal protective equipment for seafarers;
 - (n) work in enclosed spaces;
 - (o) physical and mental effects of fatigue;
 - (p) the effects of drug and alcohol dependency;
 - (q) HIV/AIDS protection and prevention; and
 - (r) emergency and accident response.

■ **Social security**

The inspection is to comply with the requirements of Regulation 4.5 and Standard A4.5 of the Convention:

- Seafarers who are subject to the flag State's 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 (Regulation 4.5/3);
- The branches to be considered with a view to achieving progressively comprehensive social security protection are: medical care, sickness benefit, unemployment benefit, old-age benefit,

employment injury benefit, family benefit, maternity benefit, invalidity benefit and survivors' benefit. The protection to be provided by the flag State shall include at least three of the nine branches (Standard A4.5/1-2).

Implementing inspection by checking documents and records such as SEA, evidence that, for seafarers covered by the national social security system, the appropriate contributions are being made, etc., interviewing seafarers:

- Check the SEA to confirm the social protection to be provided by the shipowner;
- Check for evidence that, for seafarers covered by the national social security system, the appropriate contributions are being made.

■ **General principles**

The inspection is to comply with the requirements of Standard A5.1.1 of the Convention:

- All ships shall have a copy of the Convention available on board (Standard A5.1.1/2).
- Check to confirm that there is a copy of the Maritime Labour Convention, 2006, on board.

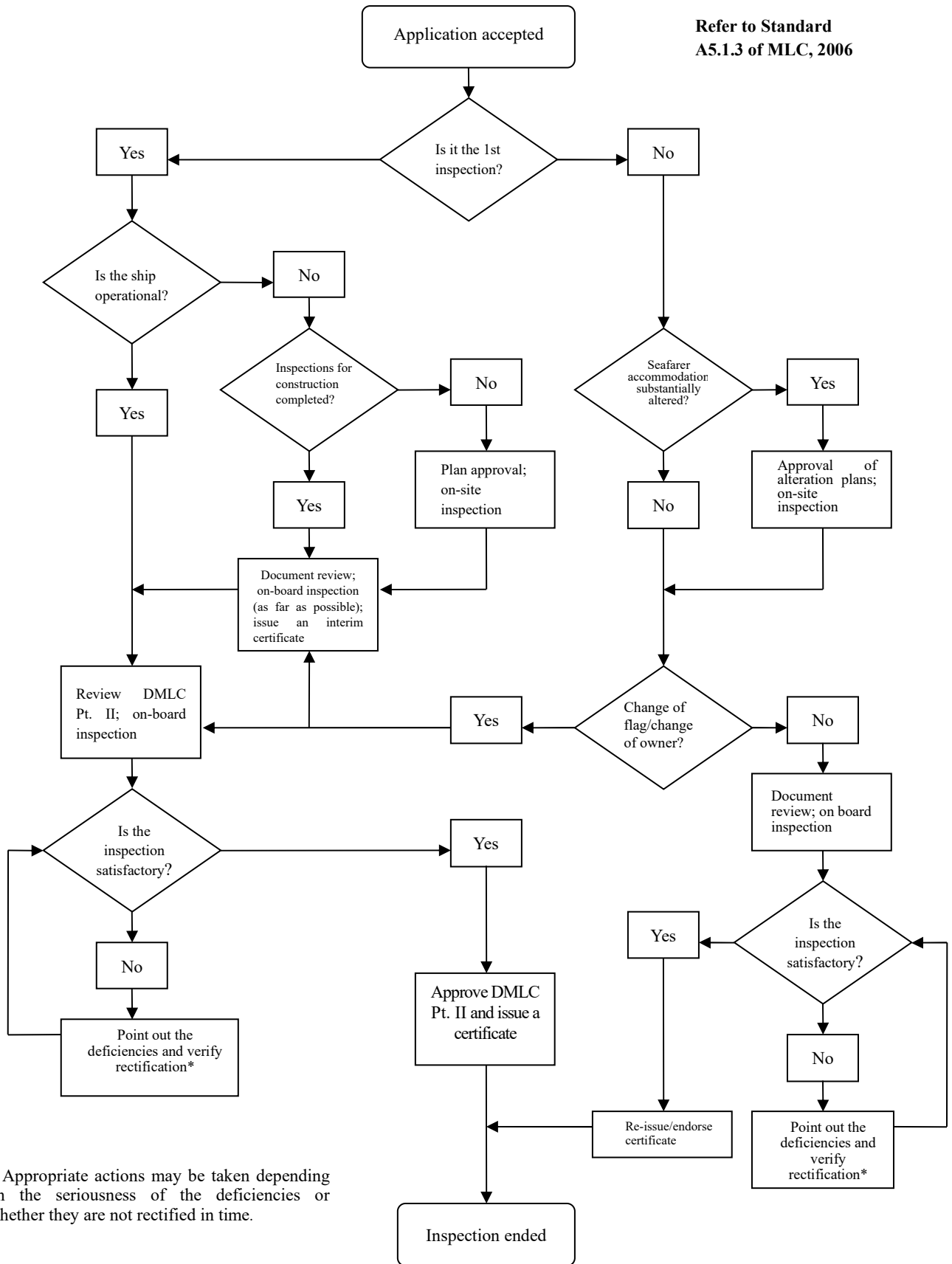
■ **On-board complaint procedures**

The inspection is to comply with the requirements of Regulation 5.1.5 and Standard A5.1.5 of the Convention:

- Ships must have on-board procedures for the fair, effective and expeditious handling of seafarer complaints alleging breaches of the requirements of the Convention (including seafarers' rights) (Regulation 5.1.5/1);
- All seafarers must be provided with a copy of the on-board complaint procedures applicable on the ship (Standard A5.1.5/4);
- Complaint procedures shall seek to resolve complaints at the lowest level possible (Standard A5.1.5/2);
- Seafarers shall have a right to complain directly to the master and, where they consider it necessary, to appropriate external authorities (Standard A5.1.5/2);
- The on-board complaint procedures shall include the right of the seafarer to be accompanied or represented during the complaint procedures (Standard A5.1.5/3);
- Victimization of seafarers for filing complaints under the Convention is prohibited (Regulation 5.1.5/2).

Implementing inspection by checking DMLC Part I and Part II, on-board complaint procedures, interviewing seafarers:

- Check the document outlining the on-board complaint procedures to confirm that it includes contact information of the competent authority in the flag State or 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;
- Check that seafarers are able to complain directly to the ship's master or an external authority;
- Check that seafarers are provided with a copy of the on-board complaint procedures in the working language of the ship;
- Confirm that there is no victimization of a seafarer for making a complaint.



* Appropriate actions may be taken depending on the seriousness of the deficiencies or whether they are not rectified in time.

Appendix V Documents and Records to be Carried on board Ships

The documents and records related to the implementation of inspections, which are to be carried by ships as required by the Regulations, Standards A and Guidelines B of ILO Maritime Labour Convention, 2006, the Guidelines for Flag State Inspections under the Maritime Labour Convention, 2006 (hereinafter referred to as Guidelines for Flag State Inspections) and the Guidelines, are listed in the following table in accordance with the Convention, the Guidelines for Flag State Inspections and the Guidelines, for information of parties concerned*.

When reference is made to the following table, attention is to be given to the requirements of the flag State and that the documents or records listed below include both single documents or records and combined documents or records.

* The requirements of the Regulations and Standards A of Maritime Labour Convention, 2006 are mandatory.

Table of Documents and Records to be Carried on board Ships (for reference)

No.	Name	Brief description	Provisions
1	Maritime Labour Certificate (MLC)	A certificate certifying that the working and living conditions of seafarers on the ship have been inspected and meet the requirements of the flag State implementing the Convention, shall be carried on the ship and a copy posted in a conspicuous place on board where it is available to seafarers. For ships engaged on international voyages, the certificate shall be accompanied by an English-language translation where it is not in English	Regulation 5.1.3/3 and Standard A5.1.3/12 of the Convention
2	Interim Maritime Labour Certificate (where applicable)	An Interim Maritime Labour Certificate may be issued for a period not exceeding six months. For ships engaged on international voyages, the interim certificate shall be accompanied by an English-language translation where it is not in English	Standard A5.1.3/5-7 of the Convention
3	Declaration of Maritime Labour Compliance (DMLC)	DMLC consists of two parts. Part I shall be drawn up by the competent authority of the flag State, which contains references to the relevant details of requirements of the flag State implementing the Convention, including equivalences to and exemptions from relevant requirements; Part II shall be drawn up by the shipowner and identify the measures adopted to ensure ongoing compliance with requirements of the flag State implementing the Convention. For ships engaged on international voyages, the DMLC shall be accompanied by an English-language translation where it is not in English	Standards 5.1.3/10 and A5.1.3/12 of the Convention
4	Maritime Labour Convention, 2006 (MLC, 2006)	The Convention adopted by the International Labour Organization at its ninety-fourth Session in 2006 to secure the rights of all seafarers. All ships shall have a copy of the Convention available on board	Standard A5.1.1/2 of the Convention
5	Provisions regarding repatriation	Provisions of the flag State's competent authority regarding repatriation of seafarers	Standard A2.5/9 of the Convention
6	Minimum Safe Manning Document	Every ship shall be manned by a crew that is adequate, in terms of size and qualifications in accordance with the Minimum Safe Manning Document issued by the competent authority of the flag State	Standard A2.7/1 of the Convention
7	Crew list	A list outlining names, positions, nationalities, birthdates, birthplaces and of ID nos of all seafarers on board (In general, IMO crew list is used)	3.2 of Guidelines for Flag State Inspections
8	Seafarer's identity document	A document issued by the competent authority reflecting the identity of the seafarer, including birth date and on-board position (e.g. seafarer certificate)	3.2/Regulation 1.1 of Guidelines for Flag State Inspections
9	Medical certificate	A certificate issued by a duly qualified medical practitioner	Regulation 1.2

No.	Name	Brief description	Provisions
		to reflect health conditions of seafarers. The medical certificates for seafarers working on ships ordinarily engaged on international voyages must as a minimum be provided in English	and Standard A1.2 of the Convention
10	Certification of colour vision (where applicable)	A certificate reflecting seafarer's capacity to distinguish between colours	Standard A1.2/6 of the Convention
11	Seafarer's competency certificate	A competency certificate issued to seafarers on completion of satisfactory training in accordance with STCW convention	Regulation 1.3/3 of the Convention
12	Certificate of qualification of seafarer on board to be in charge of medical care or competent to provide medical first aid	Persons in charge of medical care or providing first aid on board who are not medical doctors shall have satisfactorily completed training required by STCW convention	Standard A4.1/4(c) of the Convention
13	Certificate of qualification as ships' cooks	Seafarers employed as ships' cooks must be trained and qualified for their position on board ship	Regulation 3.2/3 of the Convention
14	Competence certificate for working on board (where applicable)	A competence certificate issued to persons working on board and not covered by STCW Convention on completion of training by the shipowner or a professional body	3.2/Regulation 1.3 of Guidelines for Flag State Inspections
15	Seafarer's certificate of successful professional training	A certificate issued to seafarers after they have successfully completed training for personal safety on board ship	Regulation 1.3/2-3 of the Convention
16	Training manual	A training manual or instructions covering muster, fire safety and life saving, written in the working language of the ship (e.g. information required in SOLAS Regulations II-2/15 and III/35)	3.2/Regulation 1.3 of Guidelines for Flag State Inspections
17	Seafarers' employment agreement (SEA)	A written agreement with regard to period and terms of employment signed by both the seafarer and the shipowner or a representative of the shipowner. All seafarers shall have a copy of their seafarers' employment agreement	Regulation 2.1 and Standard A2.1 of the Convention
18	Standard form of seafarers' employment agreement	A copy of a standard form of the seafarers' employment agreement shall be available in English for ships engaged on international voyages	Standard A2.1/2 of the Convention
19	Collective bargaining agreement (CBA) (where applicable)	Where a collective bargaining agreement forms all or part of a seafarers' employment agreement, a copy of that agreement shall be available on board. The portions of the collective bargaining agreement that are subject to a port State inspection shall be available at least in English for ships engaged on international voyages	Standard A2.1/2 of the Convention
20	Licenses or certificates or similar authorizations for private recruitment and placement services (where applicable)	Any (duplicated copies of) licenses or certificates or similar authorizations for the operation of private services are granted or renewed only after verification that the seafarer recruitment and placement service concerned meets the requirements of the flag State's laws and regulations	Standard A1.4/6 of the Convention
21	Table of working arrangements	The table shall contain for every position at least: the schedule of service at sea and service in port; and the maximum hours of work or the minimum hours of rest required by flag State. The table shall be established in a standardized format in the working language or languages of the ship and in English, and posted in an easily accessible place.	Standard A2.3/10-11 of the Convention
22	Records of seafarers' daily hours of work or daily hours of rest	The seafarers shall receive a copy of the records of their daily hours of work or of their daily hours of rest which shall be endorsed by the master, or a person authorized by the master, and by the seafarers	Standard A2.3/12 of the Convention
23	Standard format of records of seafarers' daily hours of work or daily hours of rest	The records shall be in a standardized format established by the competent authority of the flag State, written in the working language or languages of the ship and in English	Standard A2.3/12 of the Convention
24	Seafarers' records of employment	Seafarers shall be given a document containing a record of their employment on board the ship	Standard A2.1/1(e) of the

No.	Name	Brief description	Provisions
			Convention
25	Bridge and engine room logbooks	Records of watchkeeping of bridge and engine room	3.2/Regulation 2.3 of Guidelines for Flag State Inspections
26	Monthly account of payments of seafarers	Seafarers shall be given a monthly account of the payments due and the amounts paid.	Standard A2.2/2 of the Convention
27	Payroll records	Records of wages paid to seafarers on board	3.2/Regulation 2.2 of Guidelines for Flag State Inspections
28	Occupational safety and health policies and programmes	Provisions regarding management of occupational safety and health and prevention of accidents to prevent occupational accidents, injuries and diseases, taking into account relevant guidelines of the flag State	Standard A4.3/1 of the Convention
29	Safety and accident prevention notices	Relevant occupational safety instructions are posted on the ship in a place easily accessible to seafarers, and accident prevention notices are obviously posted in hazardous area	Standard A4.3/7 of the Convention
30	Records of the safety committee	Membership and meetings of the safety committee (e.g. records and minutes of the meetings, etc.)	3.2/Regulation 4.3 of Guidelines for Flag State Inspections
31	Reporting procedure for occupational accidents	An on-board procedure for reporting occupational injuries, diseases and accidents involving the ship	3.2/Regulation 4.3 of Guidelines for Flag State Inspections
32	Occupational accident reports	A ship report of occupational injuries, diseases and accidents involving the ship	Guideline B4.3.5 of the Convention
33	Reports of risk evaluations of occupational safety and health	Shipowners conduct risk evaluation in relation to management of occupational safety and health referring to appropriate statistical information from their ships	Standard A4.3/8 of the Convention
34	Guide or instructions for occupational safety and health and accident prevention	Manual, guide or instructions applicable to safe operation of ship, including visual and audio materials	Part 2 of Appendix III of the Guidelines
35	Arrangement plan (or booklet) of seafarer accommodation	Finished arrangement plan of seafarer accommodation, accompanied at least by English notes and explanations for ships engaged on international voyages	2.2.1/1 of the Guidelines
36	Records of sanitary inspections of seafarer accommodation	Frequent sanitary inspections of seafarer accommodation areas are carried out by the master or a designated person and relevant records made	Standard A3.1/18 of the Convention
37	Menu plans of mess rooms	For example review one-week menu plans on board ships to ensure that the food supplied to seafarers is varied and nutritious in nature	3.2/Regulation 3.2 of Guidelines for Flag State Inspections
38	Records of inspections of food and catering	Frequent documented inspections are carried out on board ships, by or under the authority of the master, with respect to supplies of food and drinking water, galley and all spaces and equipment used for the storage and handling of food and drinking water	Standard A3.2/7 of the Convention
39	Medical guide	A guide as specified by the Convention or the competent authority of the flag State, applicable to occupational safety protection and medical care of seafarers	Standard A4.1/4(a) of the Convention
40	Medical report form	A medical report form as specified by the competent authority of the flag State, for use by the ships' masters and relevant onshore and on-board medical personnel	Standard A4.1/2 of the Convention
41	Procedures for medical advice	Procedures for medical advice by radio or satellite communication	Standard A4.1/4(d) of the Convention
42	Records of inspections of medicine chest and medical equipment	Evidence that the medicine chest and its contents, as well as the medical equipment and medical guide carried on board, have been properly maintained and inspected at regular intervals, not exceeding 12 months	Guideline B4.1.1/4 of the Convention

No.	Name	Brief description	Provisions
43	Financial security for repatriation	Evidence that financial security for repatriation has been provided by the shipowner Check financial security documentary evidence.	Regulation 2.5/2 of the Convention
44	Financial security to assure compensation for injury, illness or death	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 flag State's law, the seafarers' employment agreement or collective agreement. Check financial security documentary evidence.	Standard A4.2/1(b) of the Convention
45	Procedures with respect to property left by seafarers	Procedures for safeguarding property left on board by sick, injured or deceased seafarers	Standard A4.2/7 of the Convention
46	Evidence coverage of social security	Evidence that for seafarers covered by the social security system, the appropriate contributions are being made	Standard A4.5/3 of the Convention
47	Training requirements for working on board (where applicable)	Requirements of the shipowner for training of persons working on board and not covered by STCW convention	1.3/Regulation 3.2 of Guidelines for Flag State Inspections
48	On-board complaint procedures	All seafarers shall be provided with a copy of the on-board complaint procedures in the working language of the ship	Regulation 5.1.5 of the Convention
49	Records of significant deficiencies and rectification of significant deficiencies	Any significant deficiencies not complying with requirements of the flag State implementing the Convention found during the inspection shall be recorded, together with the date when the deficiencies were found to have been remedied. This record shall be accompanied by an English-language translation where it is not in English	Standard A5.1.3/11 of the Convention
50	Inspection reports	One copy of the inspector's report in English or in the working language of the ship shall be furnished to the master of the ship and another copy shall be posted on the ship's notice board (inspection reports of the flag State control and of ships not to be certified under the Convention)	Standard A5.1.4/12 of the Convention

Appendix VI CERTIFICATION SCENARIOS

CERTIFICATION SCENARIOS

	Scenario	Condition	Action required	DMLC Part II	Scope of Inspection and Certification
1	Change of ship's name	Conducted by a surveyor, an auditor or an inspector	Verification on board ¹	Amend DMLC Part II with the ship's new name, if applicable.	1. Verify correct ship's name on all Certificates and Documents. 2. Amend/reissue Maritime Labour Certificate (MLC) with the ship's new name, if applicable. <i>Note:</i> MLC must be amended by issuing Classification Society or by special arrangement. Replacement MLC shall have the same expiry date as the current MLC.
2	Change of flag	Conducted by an inspector	Interim inspection on board	---	1. Check that the DMLC Part I or evidence for application to issue DMLC Part I to the Administration is on board. 2. Interim inspection as required by MLC, 2006, A5.1.3.7. 3. Issue Interim MLC.
		1. DMLC Part II has already been reviewed for the new flag. 2. Conducted by an inspector.	Additional inspection on board	---	1. Verify compliance with the requirements of the DMLC Part II and MLC, 2006. 2. Re-approve new DMLC Part II and issue a replacement MLC with same expiry date as the current MLC.
3	Change in IMO ship type	1. Conducted by an inspector. 2. Substantial changes have been made to accommodation or DMLC Part II.	Interim inspection on board	Verify amendments to DMLC Part II, if any, have been submitted for approval	1. Interim verification as required by MLC, 2006, A5.1.3.7. 2. Issue interim MLC with new ship type.
4	Takeover from an organization not holding a QSCS certificate	Conducted by an inspector	Initial inspection on board	Review and approve DMLC Part II	1. Inspection to address all elements of MLC, 2006. 2. Issue MLC.
5	Ship out of service	Conducted by an Inspector	Additional inspection if	---	Endorse MLC, as appropriate.

	between 3 and 6 months ²		required by the flag State		
6	Ship more than 6 months out of service ²	Conducted by an inspector	Additional, inspection on board	---	<ol style="list-style-type: none"> 1. Confirm continued compliance with the DMLC Part I and Part II. 2. Endorse/re-issue MLC, as appropriate.
7	Intermediate inspections requested after the end of the inspection time window	Conducted by an inspector	Intermediate inspection on board	---	<ol style="list-style-type: none"> 1. If reinstated, MLC to be endorsed with a statement (e.g. Validity reinstated with scope as initial). If re-issued, MLC to have same expiry date as previous certificate. 2. Issue MLC deficiency if ISM audit is not held at the same time. 3. Issue PR17 report if ISM audit is not held at the same time.
8	Change of shipowner's name, address or other changes not requiring attendance	---	Attendance on board not required	<ol style="list-style-type: none"> 1. Company to submit the amended DMLC Part II. 2. Verify changes in amended DMLC Part II. 	Issue replacement MLC with same expiry date as the original MLC.

Note: Above scenarios may be subject to flag State requirements and should only be applied in the absence of any instructions from the Administration.

¹ The verification on board may be carried out by a surveyor and the certificate reissued based on documentary evidence.

² These instructions do not apply to ships for which seasonal lay-ups are a normal part of their operational routine.