

UK-FLAGGED VESSELS**DECLARATION OF MARITIME LABOUR COMPLIANCE PART II**

MCA GUIDANCE ON PART II	WHAT INFORMATION TO PROVIDE
1. MINIMUM AGE (Reg. 1.1)	
<p>The following should be included;</p> <ul style="list-style-type: none"> • No person under the age of 16 will be employed on the ship. • No seafarer under the age of 18 will work at night (as defined in the DMLC part I) unless it is part of a recognised training scheme. • A list of hazardous work that seafarers under the age of 18 are prohibited from undertaking. • A list of seafarer who are under 18 years of age. • To ensure compliance the Master will check that the seafarer is over 16 by inspecting the individual's passport/discharge book. 	<p>Upon boarding, each seafarer's Passport and Discharge book is checked by the Master or their designated representative, in order to:</p> <ul style="list-style-type: none"> • ensure that no person below the age of 16 is employed upon this vessel. • compile a list of seafarers aged under 18 years, which is kept available for inspection. <p>Rosters are prepared to ensure that, during a continuous nine-hour period starting no later than midnight and ending no earlier than 5.00am each day, seafarers under the age of 18 do not work. The only exceptions are in the event of an emergency or where night work is a necessary part of their training programmes.</p> <p>Seafarers below the age of 18 are not permitted to carry out work such as the following:</p> <ul style="list-style-type: none"> • Working at height. • Working overboard except during safety training drills. • Working within enclosed spaces. • Food preparation or catering
2. MEDICAL CERTIFICATION (Reg. 1.2)	
<p>A statement to the effect that:</p> <ul style="list-style-type: none"> • Only medical certificates approved by the MCA (including those issued by other Administrations) will be accepted. • No seafarer will be engaged without a valid medical certificate. 	<p>Upon arrival on board and prior to commencing work, each seafarer is required to submit their medical certificate to the Master or their designated representative to ensure the certificate is valid, in English (or with an English translation available) and issued by a doctor approved or accepted by the Flag State. A note is taken of any certificate that will expire during the course of the voyage.</p> <p>Seafarers not in possession of a valid medical certificate are not permitted to join the vessel. They are either directed to the nearest Approved Doctor or</p>

<ul style="list-style-type: none"> • Medical certificates should be given in English or accompanied by an English translation • Reference should be made regarding who checks the individual certificates ensuring that any restrictions are complied with • What the procedure is if either the Master or the owner has concerns about the medical fitness of a seafarer to undertake their duties 	<p>repatriated.</p> <p>Where doubt exists as to the validity of the medical certificate or the fitness of the seafarer, the Master shall contact the company superintendent and arrange an independent medical assessment without delay.</p> <p>The procedure may be set out in the company's Safety Management System, developed by the company and audited by the flag State.</p>
3. QUALIFICATIONS OF SEAFARERS (Reg. 1.3)	
<p>The declaration should state:</p> <ul style="list-style-type: none"> • That only certificated seafarers in accordance with national and international requirements will be employed on board. • What evidence will be provided in the event of a seafarers Certificate of Competency requiring revalidation. • That all seafarers are required to carry their certificates with them. • Who is responsible for ensuring that individual seafarers have the correct certificates and what happens if a seafarer joins a ship without the required qualifications. • The procedure used to instruct seafarers on board personal safety training and how this training is to be recorded. 	<p>Upon arrival on board and prior to commencing work, each seafarer is required to submit their STCW certificates to the Master or their designated representative to ensure the certificates are valid and appropriate for the duties that the seafarer will undertake.</p> <p>Seafarers arriving without the original copies of their certificates are not permitted to join the vessel.</p> <p>Where a Certificate of Competency requires revalidation, the company will ensure that this is completed prior to joining the vessel.</p> <p>Basic Safety training and familiarisation is given to each seafarer upon joining the vessel by the designated safety training officer. This may be recorded in the seafarers' individual training and record books and in the on-board record of training and drills.</p>
4. SEAFARERS' EMPLOYMENT AGREEMENTS (Reg. 2.1)	
<p>This section should include:</p> <ul style="list-style-type: none"> • Confirmation that the seafarers' employment agreements (SEA) include the items listed in paragraph 4 of Standard A2.1. • A statement indicating whether a collective bargaining agreement [or any other 	<p>The employer provides each seafarer with a copy of the SEA and permits an opportunity for the seafarer to examine and seek advice on it before signing. In the event of difficulties, the seafarer shall raise queries with the company or its associated recruitment/manning agency prior to departing for the vessel.</p> <p>Where members of the crew are employed by Offshore Employer Ltd, this company is authorised to sign Seafarer Employment Agreements as a</p>

<p>supplementary documentation?] forms all or part of the SEA.</p> <ul style="list-style-type: none"> • Confirmation that the seafarer has been given a signed original copy of the SEA and how this is recorded. • Confirmation that the seafarer has been given an opportunity to examine and seek advice prior to signing the SEA and how this is recorded. • The method used to provide seafarers with a record of employment on board the ship. • The procedure for granting shore leave. • Annual leave provision and how this is calculated. • Details of authorised representatives for signing the SEA on behalf of the shipowner. 	<p>representative of the Shipowner for MLC purposes. An example of the company's Seafarers' Employment Agreement is available for inspection at the company's offices ashore. A Collective Bargaining Agreement exists between the Shipowner and the National Seafarers' unions/ITF, which contains parts of the Seafarers' Employment Agreements. A seafarers' discharge book provides evidence of their employment.</p>
<p>5. USE OF ANY LICENSED OR CERTIFIED OR REGULATED PRIVATE RECRUITMENT AND PLACEMENT SERVICE (Reg. 1.4)</p>	
<p>This section should include:</p> <ul style="list-style-type: none"> • Information whether seafarers are directly or indirectly engaged by the shipowner. • A list of manning agencies that supply seafarers to the ship. • Confirmation that the manning agencies reside in a ratifying country. OR If the manning agencies are based in a non ratifying country a statement to the effect that the agency operates in accordance with MLC,2006 requirements and what evidence is available to confirm this. • Confirmation that no fees or other charges are borne either directly or indirectly by the 	<p>Seafarers on the vessel are recruited and employed directly by a recruitment and placement company.</p>

<p>seafarer when gaining employment and how this is verified.</p> <ul style="list-style-type: none"> • Confirmation that the manning agencies do not operate blacklists in order to prevent seafarers gaining employment and how this is verified • Confirmation that as far as practicable the shipowner has the means to protect seafarers from being stranded in a foreign port together with confirmation that a system of protection is in place by way of insurance or an equivalent measure to compensate seafarers for monetary loss resulting from the failure of either the manning agencies or the shipowner to meet their obligations to the seafarers. 	
6. HOURS OF WORK AND REST (Reg. 2.3)	
<p>This section should include information on:</p> <ul style="list-style-type: none"> • Details of any authorized exception • Where the schedule is posted up. • Who monitors the hours of work/rest for compliance both on board and ashore. • Under what circumstances can the schedule be suspended. • How are any suspensions recorded. • How details of any compensatory rest periods granted resulting from the schedule being suspended are recorded. 	<p>A table showing the schedule of service at sea and in port, along with the minimum hours of rest required to be observed on the vessel, is posted upon the Official noticeboard located on deck 3 outside the ships office.</p> <p>The hours of work/rest are monitored on board and ashore for compliance with the applicable standards [and exception as explained in DMLC Part I] utilising “ISF Watchkeeper 3 software”. Individual reports are inspected weekly by the Master and then forwarded to the ship’s superintendent. Copies are available for inspection.</p> <p>The schedule shall only be suspended in the event of a serious incident affecting or threatening the safety of this vessel, its crew and the environment; or whilst rendering such assistance to a person or vessel in distress as required by Article 92 of UNCLOS and Chapter V, Regulation 33(1) of the SOLAS Convention. Any such suspension shall be recorded in the seafarers’ individual records as well as the vessels Official Logbook.</p> <p>Compensatory rest periods granted resulting from the schedule being suspended are recorded in the seafarers’ individual records and the official logbook.</p>
7 MANNING LEVELS FOR THE SHIP (Reg. 2.7)	
<p>The following should be included:</p>	<p>The vessel is manned at all times in accordance with the requirements of the</p>

<ul style="list-style-type: none"> • A statement to the effect that the ship will be manned in accordance with national and international regulations. • A statement to the effect that the contents of the safe manning document will be adhered to at all times. • Information on who the Master should contact if he has any concerns regarding manning. 	<p>Minimum Safe Manning Document and Safety Management System, developed by the company and approved by its Flag State.</p> <p>In the event that the Master has concerns regarding the safe manning of the vessel, they shall immediately contact the Designated Person Ashore to seek guidance.</p>
<p>8. ACCOMMODATION (Reg. 3.1)</p>	
<p>If the ship was constructed prior to the MLC, 2006 coming in to force then a statement should be made to the effect that the crew accommodation was constructed in accordance with ILO Conventions C92 and C133. If so the keel laying date should be included.</p> <p>In addition the following should be included:</p> <ul style="list-style-type: none"> • How the requirements or paragraph 2(a) of Standard A3.1 are dealt with. • Who is responsible for carrying out inspections of the crew accommodation, the frequency that inspections are carried out and where they are recorded should be included. • What is provided by way of bedding, mess utensils and miscellaneous provisions. • The procedure for the sending and receiving of seafarers mail. • Whether seafarers may be accompanied by their partners for occasional voyages. • Whether seafarers partners, relatives or friends are permitted to visit the ship when it is in port. 	<p>The crew accommodation on this vessel, whose keel was laid on the of, YYYY, was constructed in accordance with ILO Conventions C92 and C133. Approved plans of the crew accommodation are available for inspection on the vessel and in the company offices ashore.</p> <p>The accommodation is inspected for cleanliness and safety at least weekly by the Master and the senior management team. Records are kept by the Master in the vessel's official logbook.</p> <p>All items necessary to ensure seafarers' comfort and safety are provided by the company, this includes all bedding, towels, mess utensils and any other items which may be deemed necessary to comply with or in addition to the requirements of the MLC (2006).</p> <p>Crew members may send mail from the vessel at any time whilst the vessel is in port. Outgoing mail should be placed in the receptacle outside the ships office for delivery to the nearest suitable post office. Incoming mail will be distributed by the duty officer upon receipt. Seafarers also have access to email.</p> <p>Subject to the vessel's itinerary and company approval, seafarers may be accompanied by partners. Travel expenses must be met by the seafarer.</p> <p>Subject to port byelaws, vessel itinerary, and the Masters' approval, seafarers may receive visitors provided that this does not impede the operation of the vessel.</p>
<p>9. ONBOARD RECREATIONAL FACILITIES (Reg. 3.1)</p>	
<p>This section should, as a minimum give information</p>	<p>The following recreational facilities are provided for seafarers use:</p>

<p>on what recreation facilities (for example, DVD players, televisions, sports equipment etc) are provided on board. Where appropriate the location of the upper deck area that is reserved for seafarers.</p>	<ul style="list-style-type: none"> • Televisions and associated DVD players in Officers and Crew Lounges. CD Radio Players are available in every cabin. • Ships Library • Gym equipment (Treadmill, Rowing Machine & Free Weights) are provided next to the ships office. • Seafarers, when off duty, may utilise the Deck area aft of the accommodation on Deck 3 for relaxation purposes, loungers and tables have been provided for this purpose, provided the Master is satisfied that the prevailing weather conditions do not make it unsafe for them to be on deck.
<p>10. FOOD AND CATERING (Reg. 3.2)</p>	
<p>The following should be included:</p> <ul style="list-style-type: none"> • Details concerning the loading, storage and treating potable water. • Procedures for storing, preparing and serving food. • That seafarers are not charged for their food. However the shipowner ensures that food is suitable in quantity, nutritional value, quality and variety for the number of crew and operation of the ship. • How religious and cultural practices of seafarers are catered for. • The qualifications and training of the cook and any other catering staff. • Details of who carries out the inspections of the galley and food handling / storage areas and how these inspections are recorded. 	<p>Potable Water is loaded as required at each port call. Testing is carried out by the 2nd Officer prior to and on completion of loading. Test results are recorded as part of the Shipboard Maintenance system and in the vessels official logbook. Where potable water does not reach the required standard it shall be rejected prior to loading. Where possible water shall be made on board whilst the vessel is at sea. In the event of any failure of the above processes, the seafarers will be supplied with bottled drinking water.</p> <p>Food stores are ordered as required from audited suppliers in order to maintain a minimum of 1 month's useable food (or longer if operationally required). Upon receipt of the stores they are inspected by the Chief Officer and Ship's Cook to ensure that they conform to the required standard. Any substandard food shall be highlighted to the vessels agent and rejected. Food shall be stored in the Dry store, Cold Store or Freezers as appropriate. Food Preparation shall only take place in the vessel's galley.</p> <p>Three meals per day are provided by the company free of charge to seafarers. The Weekly meal plan is inspected by the Master to ensure that variety is maintained and that all cultural/religious requirements are strictly observed. Seafarers with specific dietary requirements should inform the Master prior to their embarkation. The Master and Ship's Cook devise appropriate meal plans to take these requirements into account.</p>

	<p>Ship's Cook's certificates, which have been either issued or approved by the Flag State, are available for inspection on board.</p> <p>The Galley and all food storage areas are inspected at least weekly. These inspections, any findings and corrective actions required shall be recorded in the Official Log Book. Any corrective actions required are to take place as quickly as practicable and their successful completion is to be logged upon satisfactory inspection.</p> <p>No Seafarer below the age of 18 is permitted take part in food preparation on board this vessel</p>
<p>11. HEALTH AND SAFETY AND ACCIDENT PREVENTION (Reg. 4.3)</p>	
<p>The following should be included:</p> <ul style="list-style-type: none"> • If a ship has 5 or more seafarers then a safety committee is required. The composition of the safety committee and the frequency of meetings together with the responsibilities of the Master, safety officer and safety representatives. • Details of the on board programmes for the prevention of occupational accidents, injuries and diseases and for continuous improvement in occupational health and safety. • Details of the adoption, the effective implementation and promotion of occupational safety and health policies and programmes. • The procedure for generating risk assessments (including those for young seafarers) and how frequently they are reviewed. • The precautions taken to prevent occupational accidents, injuries and diseases. • The procedure for investigating, reporting and correcting unsafe conditions. • The procedure for investigating, reporting on 	<p>The vessel has a Safety Committee. A list of members of the Safety committee is posted upon the Official noticeboard located on deck 3.</p> <p>The responsibilities of each member of the committee are detailed in the vessel's safety management system as approved by the flag state.</p> <p>The company occupational health and safety policy and programme is set out in the Company Safety Management System. This covers compliance with the flag state's health and safety laws and regulations as listed in the DMLC Part I and as applicable to the ship, risk assessments, prevention of occupational accidents, injuries and diseases, incident reporting and a scheme encouraging continuous improvement in occupational health and safety. Copies are available for inspection on board and in the company offices ashore.</p>

<p>board occupational accidents.</p> <ul style="list-style-type: none"> • Details of the type of work that seafarers under the age of 18 are prohibited from undertaking. 	
<p>12. ONBOARD MEDICAL CARE (Reg. 4.1)</p>	
<p>This section should cover:</p> <ul style="list-style-type: none"> • The provision of on board medical care including the medical chest and who is responsible for maintaining same. • Who is responsible for providing on board medical care. • Confirmation that the person(s) responsible for providing on board medical care is trained (including refresher training). 	<p>The provision of Medical Care on board and the upkeep of the Ship's Medical Chest is the responsibility of the Master who may delegate responsibilities to a suitably qualified deputy – normally the [2nd Officer]. Audits of medical supplies are carried out every [] months to ensure that they are at all times in compliance with the statutory requirements.</p> <p>At all times there is at least one crew member who has met the standards of competence set out in Part A-VI/4-1 or Part A-VI/4-2 of the STCW Code. Their names are indicated on the ship's noticeboard and copies of their Certificates of Competency or Certificates of Proficiency as appropriate are available for inspection.</p> <p>Where a Seafarer requires urgent medical attention whilst in port, such attention shall, where practicable, be arranged through the Medical Officer and the ship's Agent.</p> <p>Prior to sending the seafarer ashore, depending on the urgency of the situation, the medical officer completes company form "Med 1A-2", in English, indicating symptoms, observations and treatment provided and send the form with the seafarer. The form should then be completed by medical professional and returned with the seafarer.</p> <p>Medical or emergency dental assistance that is necessary for a seafarer whilst on company business, including the requirement for medical treatment whilst travelling to or from the vessel, is provided at no cost to the seafarer.</p>
<p>13. ONBOARD COMPLAINT PROCEDURES (Reg. 5.1.5)</p>	
<p>The following should be included:</p> <ul style="list-style-type: none"> • Confirmation that the on board complaints procedure complies with national laws and requirements. A copy should be submitted to the MCA for review. • Confirmation that a copy of the on board 	<p>The on board complaints procedure has been prepared in consultation with the [trade union] with reference to the ACAS Code of Practice. A copy is available for inspection on board and in the company office ashore.</p> <p>Each seafarer receives a copy of the on board Complaints procedure and is requested to confirm receipt by signing the on board familiarisation record</p>

complaints procedure is to be given to every seafarer and how this is recorded.	sheets. This contains contact information for the competent authorities in the flag state and the seafarers' state of residence and the name of a seafarer/other person who can give, on a confidential basis, impartial advice on making a complaint.
14. PAYMENT OF WAGES (Reg.2.2)	
This section should include information concerning pay slips, charges for allotments and frequency of the payment of wages together with how the rate of exchange is determined.	Wages are paid in [currency] at the exchange rate published by [Bank] on the [23rd] day of each month. Seafarers receive pay advice on board and may elect to send some, or all, of their net wages to a nominated bank account of their choice. This will be done electronically, in accordance with the seafarer's instructions, at no cost to the seafarer.
15. FINANCIAL SECURITY FOR REPATRIATION (Reg.2.5)	
This section covers the insurance requirements for ensuring the repatriation of seafarers, if a company ceases trading	Appropriate insurance to be obtained and retained onboard the vessel
16. FINANCIAL SECURITY RELATED TO SHIP OWNERS LIABILITY(Reg.4.2)	
This section details the responsibilities of the ship owner with regard to the insurance they need to arrange to cover their liability	Appropriate insurance to be obtained and retained onboard the vessel