



# REPUBLIC OF THE MARSHALL ISLANDS

## MARITIME ADMINISTRATOR

### Maritime Labour Convention, 2006 Declaration of Maritime Labour Compliance – Part I

*(NOTE: This Declaration must be attached to the ship's Maritime Labour Certificate)*

Issued under the authority of  
the Government of the Republic of the Marshall Islands

With respect to the provisions of the Maritime Labour Convention, 2006 (“MLC, 2006” or also referred to below as “the Convention”), the following referenced ship:

Name of Ship	IMO Number	Gross tonnage

is maintained in accordance with Standard A5.1.3 of the Convention.

The undersigned declares, on behalf of the abovementioned competent authority, that:

- (a) the provisions of the MLC, 2006 are fully embodied in the national requirements referred to below;
- (b) these national requirements are contained in the national provisions referenced below; explanations concerning the content of those provisions where they differ from the MLC, 2006 are provided where necessary;
- (c) the details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided in the section provided for this purpose below;
- (d) any exemptions granted by the competent authority in accordance with Title 3 are clearly indicated in the section provided for this purpose below; and
- (e) any ship-type specific requirements under national legislation are referenced under the requirements concerned.

## **1. Minimum age (Regulation 1.1)**

- **Maritime Act, 1990, as amended (MI-107) §826 – Minimum age at sea.**
- **Maritime Regulations (MI-108) §7.49 – Minimum Age.**
  - For the purposes of this requirement, “night” is defined as the period starting at 20:00 hrs and ending at 06:00 hrs.
  - Seafarers under the age of 18 shall be prohibited from engaging in employment or work which is considered “hazardous” as determined by the shipowner/operator in accordance with relevant international standards.
- **Marine Notice 7-049-1-Hazardous Work and Consideration of Health and Safety Issues for Seafarers under the Age of 18.**
  - Addresses and provides criteria and the international standards for the determination of “hazardous” employment or work with regard to seafarers under the age of 18.

## **2. Medical certification (Regulation 1.2)**

- **Maritime Act, 1990, as amended (MI-107) §825 – Required documents for seafarers.**
- **Maritime Regulations (MI-108) §7.47.4 – Medical Certificates.**
  - Each seafarer employed on board a vessel registered under the Maritime Act shall be in possession of a physical examination certificate in the official form required by the Republic of the Marshall Islands, the STCW Convention 1978, as amended, or by another State Party to the ILO Convention Concerning the Medical Examination of Seafarers, attesting to the holder’s medical fitness for duty.
  - The certificate must be signed by a medical practitioner licensed in the place of examination.
  - Medical information required to be recorded on the medical certificate and the duration of validity of the certificate is the same as referred to in the Convention.
  - Provisions for urgent cases are the same as referred to in the Convention except that the term “expired medical certificate of recent date” is defined as a medical certificate which is expired for a period not greater than 6 months.
- **Marine Guideline 7-47-1 - Guidance on Medical Exams and Certificates for Seafarers.**
  - Contains model medical exam form for the physical examination and the required Physical Exam Certificate (Form MI-105M) that must be submitted to the Maritime Administrator.

## **3. Qualification of seafarers (Regulation 1.3)**

- **Maritime Act, 1990, as amended (MI-107) §825 – Required documents for seafarers.**

- **Maritime Regulations (MI-108) §7.47.1 – Training and Qualifications.**
  - Requirements for merchant marine personnel certification (MI-118), established pursuant to Marshall Islands Maritime Act 1990, Chapter 1, Section 109 and Marshall Islands Maritime Regulation Section 1.04, comply fully with the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

#### **4. Seafarers' employment agreements (Regulation 2.1)**

- **Maritime Act, 1990, as amended (MI-107) §830 – Grounds for discharge.**
- **Maritime Act, 1990, as amended (MI-107) §853 – Contracts for seafaring labor.**
- **Maritime Regulations (MI-108) §7.45.1 – Seafarer Employment Agreements.**
- **Maritime Regulations (MI-108) §7.47.3 – Seafarer's Identification and Record Books.**
- **Maritime Regulations (MI-108) §7.48 – Certificates of Service.**
  - Records of employment are recorded in seafarer's identification and record books. Seafarers not required to possess a seafarer identification and record book are issued certificates of service, the provisions of which are the same as referred to in the Convention.

#### **5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)**

- **Maritime Regulations (MI-108) §7.45.2 – Recruitment and Placement Services.**
- **Marine Notice 7-045-1-Demonstrating Compliance of Recruitment and Placement Services.**

#### **6. Hours of work or rest (Regulation 2.3)**

- **Maritime Act, 1990, as amended (MI-107) §842 – Working hours, rest hours and overtime.**
- **Maritime Regulations (MI-108) §7.51 – Hours of Work and Hours of Rest.**
  - Terminology used is the same as referred to in the Convention.
- **Marine Notice 7-051-2 – Minimum Hours of Rest.**
  - The Administration has established a minimum hours of rest standard for the regulation of Hours of Work and Hours of Rest.
  - Provides forms for the Table of Working Arrangements and for the Records of Hours of Rest.

#### **7. Manning levels for the ship (Regulation 2.7)**

- **Maritime Act, 1990, as amended (MI-107) §804 – Full complement required.**

- **Maritime Regulations (MI-108) §7.38 – Manning Requirements for Vessels Registered under the Maritime Act.**

#### **8. Accommodation (Regulation 3.1)**

- **Maritime Act, 1990, as amended (MI-107) §863 – Accommodations**
- **Maritime Regulations (MI-108) §7.44 – Accommodations, Recreational Facilities, Food, Water and Catering.**
- **Marine Notice 7-044-1 – Accommodations, Recreational Facilities, Food, Catering and Water (sections 1 – 13 and 16 – 18).**

#### **9. On-board recreational facilities (Regulation 3.1)**

- **Maritime Regulations (MI-108) §7.44 – Accommodations, Recreational Facilities, Food, Water and Catering.**
- **Marine Notice 7-044-1 – Accommodations, Recreational Facilities, Food, Catering and Water (sections 1, 14, 16, 17 and 18).**

#### **10. Food and catering (Regulation 3.2)**

- **Maritime Regulations (MI-108) §7.38.5d – Manning Requirements for Vessels Registered under the Maritime Act / Responsibility of Shipowners/Operators.**
- **Maritime Regulations (MI-108) §7.44 – Accommodations, Recreational Facilities, Food, Water and Catering.**
- **Marine Notice 7-044-1 – Accommodations, Recreational Facilities, Food, Catering and Water (sections 1, 15, 16 and 17).**
- **Marine Guideline 7-44-1, Food Handling, Storage and Preparation**
  - **Complements Marine Notice 7-044-1.**

#### **11. Health and safety and accident prevention (Regulation 4.3)**

- **Maritime Act, 1990, as amended (MI-107) §710 – Marine casualty investigations.**
- **Maritime Regulations (MI-108) §6.36 – Reports of Marine Casualties or Incidents.**
- **Maritime Regulations (MI-108) §7.41 – Master’s Duties and Responsibilities**
  - **.10 Accident Prevention.** The Master of each vessel shall appoint from amongst the crew a suitable person or a committee responsible for accident prevention, and such person or committee shall in addition to any other duties assigned by the Master hold safety meetings, conduct routine inspections and ensure that any conditions aboard the vessel not in substantial compliance with the applicable provisions of the accident prevention code or codes currently approved by the Administration are brought to the prompt attention of the Master.

- **Maritime Regulations (MI-108) §§7.43.1 and 7.43.2 – Health and Safety Protection and Accident Prevention.**
- **Marine Notice 2-011-13 – International Safety Management (ISM) Code.**
- **Marine Notice 7-049-1 – Hazardous Work and Consideration of Health and Safety Issues for Seafarers under the Age of 18.**
  - Addresses and provides criteria for the determination of ‘hazardous’ employment or work with regard to seafarers under the age of 18.
- **Marine Guideline 2-11-3 – Guidelines on the Basic Elements of a Shipboard Occupational Health and Safety Program.**

## **12. On-board medical care (Regulation 4.1)**

- **Maritime Regulations (MI-108) §7.42 – Medical Care of Officers and Crew.**
  - **.2 Hospital:** Vessels carrying 15 or more seafarers and engaged in a voyage of more than three (3) days’ duration shall provide separate hospital accommodation to be used exclusively for medical purposes and that will, in all weathers, be easy of access, provide comfortable housing for the occupants and be conducive to their receiving prompt and proper attention. Vessels engaged in coastal trade and capable of reaching qualified medical care and medical facilities within eight (8) hours may be exempted from this requirement.
  - **.4 Standard of Competence for Medical First Aid/Medical Care:** Vessels which do not carry a medical doctor shall be required to have one (1) seafarer on board who is in charge of medical care and administering medicine as part of their regular duties and one (1) seafarer on board competent to provide medical first aid. A single individual may serve in both capacities, provided he/she is certified for the two (2) competencies.
- **Marine Notice 7-042-1, Medical Care On Board Ship and Ashore: Medical Chest, Recordkeeping and Responsibilities and Training for Medical Care.**

## **13. On-board complaint procedures (Regulation 5.1.5)**

- **Maritime Act, 1990, as amended (MI-107) §861 – Conciliation, mediation and arbitration of labor disputes, differences or grievances.**
- **Maritime Regulations (MI-108) §7.53 – Conciliation, Mediation and Arbitration.**
- **Marine Notice 7-053-1, On Board Complaint Procedures**
  - Contains specifics regarding the
  - development of the on board complaint procedures.

## **14. Payment of wages (Regulation 2.2)**

- **Maritime Act, 1990, as amended (MI-107) §827 – Payment of wages.**
- **Maritime Regulations (MI-108) §7.51.4 – Payment of Wages.**
- **Marine Notice 7-051-1, Payment of Wages – Account.**

**15. Financial security for repatriation (Regulation 2.5)**

- **Maritime Act, 1990, as amended (MI-107) §864 – Maritime Administrator to make rules and regulations.**
- **Maritime Regulations (MI-108) §2.23.2 – Proof of Liability Insurance.**
- **Maritime Regulations (MI-108) §7.52 – Social Protections.**
  - **.1 Liability Insurance:** Each shipowner shall be required to maintain at all times satisfactory third party liability insurance as described in Regulation 2.23.2 which covers, among other things, all reasonable costs incurred in meeting the shipowner’s obligations to provide for seafarer health protection, medical care, long-term disability, death, welfare measures, repatriation, abandonment, and/or unemployment compensation. See also §§ **.2 Security for Costs; .3 Satisfaction of Obligations for Social Protections;**4 Certification **.5 Repatriation;** and **.7 Abandonment.**
- **Marine Notice, 7-052-3, Liability Insurance.**

**16. Financial security relating to shipowners’ liability (Regulation 4.2)**

- **Maritime Act, 1990, as amended (MI-107) §864 – Maritime Administrator to make rules and regulations.**
- **Maritime Regulations (MI-108) §2.23.2 – Proof of Liability Insurance.**
- **Maritime Regulations (MI-108) §7.52 – Social Protections.**
  - **.1 Liability Insurance:** Each shipowner shall be required to maintain at all times satisfactory third party liability insurance as described in Regulation 2.23.2 which covers, among other things, all reasonable costs incurred in meeting the shipowner’s obligations to provide for seafarer health protection, medical care, long-term disability, death, welfare measures, repatriation, abandonment, and/or unemployment compensation. See also §§ **.2 Security for Costs; .3 Satisfaction of Obligations for Social Protections;** and **.4 Certification.**
- **Marine Notice, 7-052-3, Liability Insurance.**

Name: Thomas F. Heinan

Title: Deputy Commissioner of Maritime Affairs

Signature: \_\_\_\_\_

Place: Reston, Virginia

Date: \_\_\_\_\_

(Seal or stamp of the authority, as appropriate)

## Substantial Equivalencies

*(NOTE: Strike out the statement which is not applicable)*

The following substantial equivalencies, as provided under Article VI, paragraphs 3 and 4, of the Convention, except where stated above, are noted *(insert description if applicable)*:

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No equivalency has been granted.

Name: Thomas F. Heinan

Title: Deputy Commissioner of Maritime Affairs

Signature: \_\_\_\_\_

Place: Reston, Virginia

Date: \_\_\_\_\_

(Seal or stamp of the authority, as appropriate)

## Exemptions

*(NOTE: Strike out the statement which is not applicable)*

The following exemptions granted by the competent authority as provided in Title 3 of the Convention are noted:

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No exemption has been granted.

Name: Thomas F. Heinan

Title: Deputy Commissioner of Maritime Affairs

Signature: \_\_\_\_\_

Place: Reston, Virginia

Date: \_\_\_\_\_

(Seal or stamp of the authority, as appropriate)