

**FOR DEBATE AND GUIDANCE**

## SEVENTH ITEM ON THE AGENDA

**Maritime Labour Convention, 2006:  
Form for reports on the application  
of ratified Conventions (article 22  
of the Constitution)**

1. At its 94th (Maritime) Session, the International Labour Conference adopted the Maritime Labour Convention, 2006 (MLC, 2006), culminating a participatory process spanning a period of nearly five years which included all governments, shipowners' and seafarers' organizations, the United Nations and intergovernmental organizations as well as non-governmental organizations interested in the maritime field. The process demonstrated the will of all parties involved to create a Bill of Rights for seafarers and a "level playing field" for shipowners, thereby making a substantial contribution to the role of international labour standards in promoting a fair globalization.
2. The Office has devoted considerable thought to the conception of the report form under article 22 of the Constitution, to try to make it as simple and helpful as possible in line with the innovative approaches reflected in the Convention itself. The distinctive features of the MLC, 2006, justify a departure from the traditional format of report forms. One such feature is the length of the Convention, which would make a report form very unwieldy if it were to reproduce the substantive provisions of the Convention in full. It is also necessary to avoid duplication due to the fact that many important principles in the Articles of the Convention are translated into concrete provisions in the various Titles. Where this is the case, it is considered more helpful to request governments to provide information on the implementation of the concrete provisions rather than on the corresponding Article.
3. Several distinctive features of the MLC, 2006, facilitate the task of reporting, in particular the Declaration of Maritime Labour Compliance, which (in 14 areas) will already contain detailed information on the law and practice of the Member concerned. The aim has therefore been to take advantage of these distinctive features. In addition, the report form would be designed to facilitate reporting by electronic means if the government concerned so prefers.
4. At this stage, the Office considers it preferable to submit its ideas to the Committee for debate before submitting a proposal for a complete report form. The introductory and general parts of a possible report form reflecting the above, as well as the questions relating to Titles 1 and 2 of the Convention, are therefore presented in the appendix for the purpose of illustration only.

5. The Committee is invited to advise the Office on the extent to which the approaches reflected in the appendix should be followed, and to provide the guidance that it sees fit. A complete report form, based on the Committee's discussions, will be submitted to the Governing Body in March 2010.

Geneva, 16 October 2009.

*Submitted for debate and guidance.*

## Appendix

### Example

Appl. 22.MLC, 2006

Maritime Labour Convention, 2006

INTERNATIONAL LABOUR OFFICE GENEVA

REPORT FORM FOR THE MARITIME LABOUR CONVENTION, 2006

The present report form is for the use of countries which have ratified the Convention. It has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads as follows: "Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request."

The matters with which this Convention deals may be beyond the immediate competence of the ministry responsible for labour questions, so that the preparation of a full report on the Convention may necessitate consultation of other interested ministries or government agencies.

### Practical guidance for drawing up reports

#### *First report*

1. If this is your Government's first report following the entry into force of the Convention in your country, full information should be given on the way in which your country has given effect to its obligations under the Convention, including actions taken on each of the questions set out in this report form.

#### *Subsequent reports*

2. In subsequent reports, information need normally be given only on the following points:
  - (a) any new legislative or other measures affecting the application of the Convention;
  - (b) replies to the questions in the report form on the practical application of the Convention (for example, statistics, results of inspections, judicial or administrative decisions) and on the communication of copies of the report to the representative organizations of employers and workers and on any observations received from these organizations;
  - (c) **replies to comments by the supervisory bodies** – The report must contain replies to any comments regarding the application of the Convention in your country which have been addressed to your government by the Committee of Experts on the Application of Conventions and Recommendations or by the Conference Committee on the Application of Standards.

**Use of this report form**

3. This report form is divided into two parts. **Part I “General questions” asks for information and supporting materials. Part II “Specific information” indicates some questions that should be covered in the report. The report form has been designed to facilitate completion** from both a physical and a substantive point of view. Members are, in the first place, invited to use the electronic version of the report form and to insert the requested information in the expandable field beside each question. For those national administrations that are not in a position to use the electronic report form, a paper copy is also attached and responses may be provided by referring to the relevant questions.
4. From a substantive point of view, one of the innovations in the Convention is its emphasis on ensuring that there is not only compliance with its provisions but also documentary evidence of compliance. Consequently, in implementing the Convention, Members will already have produced documents such as the Declaration of Maritime Labour Compliance (DMLC), required by Regulation 5.1.3 and providing information that is also needed for reporting under article 22 of the Constitution. To take advantage of information already provided, a number of questions in Part II of this form suggest the following statement as a possible answer:

“Full information on all matters is to be found in the enclosed DMLC, Part I /Part II .
5. If the information in the DMLC, Part I and/or Part II is sufficient to fully answer all questions in the section concerned, one or both boxes at the end of this statement can be checked () , in which case the individual questions in the section concerned need not be answered. However, additional information on how the Regulation concerned is implemented in your country can be provided in a section located underneath the questions concerned. If the information in the DMLC concerning national implementing measures is not also applicable to ships that are not subject to certification (see Regulation 5.1.3, paragraph 1), additional information should be provided concerning the measures applicable to those categories of ships. In addition, some of the Regulations or Standards envisage that the competent authority in each member State produce various kinds of documents related to implementation of obligations (for example, an approved medical report form for use on board ships). Where relevant, copies of these particular documents are requested under the heading “Documentation”.
6. Furthermore, in order to avoid the need to refer in detail to the content of specific measures, reference can be made in this form to the relevant provisions of the legislation, collective agreement or other document concerned which has been provided to the Office in English, French or Spanish (in connection with Part I, “General questions”).
7. Beneath the section for “Additional information”, there is a section headed “Explanations”. Explanations are required where a national implementing measure differs from the requirements set out in Standards found in Part A of the Code of the Maritime Labour Convention, 2006 – especially in the case of substantial equivalence referred to in Article VI, paragraph 3, and of differing national measures provided for on the basis of Article II, paragraph 6. Even though the substantial equivalence or differing measures may have been referred to in the DMLC, Part I, an explanation should be provided, in particular, as to the ways in which the Member concerned was not in a position to implement the rights and principles concerned in the manner set out in Part A of the Code (Article VI, paragraph 3) and as to how the national measure complies in all material respects with the corresponding Part A requirement or as to the reason for a determination that it would not be reasonable or practicable at the present time to apply certain details of the Code to a ship or particular categories of ships (Article II, paragraph 6).

## Article 22 of the Constitution of the ILO

Report for the period from \_\_\_\_\_ to \_\_\_\_\_  
 made by the Government of \_\_\_\_\_  
 on the  
 Maritime Labour Convention, 2006  
 (ratification registered on \_\_\_\_\_ )

### Part I. General questions

#### I. Implementing measures

Please give a list of the laws and regulations and collective agreements implementing the provisions of the Convention, with particular reference to the seafarers' employment and social rights referred to in Article IV. **Please provide a copy of those laws or regulations and collective agreements. If any of this material is available from the Internet, the link to the relevant document may be provided instead of the document itself.**

If, in your country, ratification of the Convention gives the force of national law to its terms, please indicate by virtue of what constitutional provisions the ratification has had this effect; in this case, please also specify whether or not the force of national law has also been given to the measures recommended in Part B of the Code with respect to implementing your country's responsibilities under Part A of the Code.

#### II. Principal documents

Please provide, in English, French or Spanish (or the English translation required by Standard A5.1.3, paragraph 12), a copy of the standard Maritime Labour Certificate, including Part I of the Declaration of Maritime Labour Compliance (DMLC) as well as an example or examples of a typical Part II of the DMLC. (Documentation on other matters will be requested in Part II of this report form.)

#### III. Fundamental rights and principles

Please indicate how account has been taken, in the context of the Convention, of the following fundamental rights and principles referred to in Article III:

(a) unless your country has ratified Conventions Nos 87 and 98: freedom of association and the effective recognition of the right to collective bargaining;	
(b) unless your country has ratified Conventions Nos 29 and 105: the elimination of all forms of forced or compulsory labour;	
(c) unless your country has ratified Conventions Nos 138 and 182: the effective abolition of child labour;	
(d) unless your country has ratified Conventions Nos 100 and 111: the elimination of discrimination in respect of employment and occupation.	

**IV. Competent authority and consultation**

Please identify the competent authority or authorities having power to issue and enforce regulations, orders or other instructions in respect of subject matter covered by the Convention (Article II, paragraph 1(a)).	
Please list the shipowners' and the seafarers' organizations that the competent authority or authorities consult in matters relating to the implementation of the Convention.	

**V. Scope of application**

Do the measures implementing the Convention cover, as a seafarer, any person who is employed or engaged or works in any capacity on board a ship to which the Convention applies (Article II, paragraphs 1(f) and 2)?	If no, please explain:
Have cases of doubt as to whether any categories of persons are to be regarded as seafarers arisen?	If yes, please provide full information on the consultation process and its result (Article II, paragraph 3):
Have cases of doubt arisen as to whether a ship or a particular category of ship, or a similar navigating means, is covered by the Convention?	If yes, please provide full information on the consultation process and its result (Article II, paragraph 5):

**VI. Enforcement**

Please summarize the provisions of laws or regulations or other measures which prohibit violations of the requirements of the Convention and, in accordance with international law, establish sanctions or require the adoption of corrective measures to discourage such violations (Article V, paragraph 6).	
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**VII. Statistical information**

Please *either* provide the data requested below *or* refer below to relevant reports submitted to UNCTAD (*Annual Review of Maritime Transport*), IMO, WHO, etc., and supply a copy of those reports:

Data requested	Ships on international voyages	Domestic shipping
Number of seafarers covered by the Convention		
Gender distribution among seafarers		
Number of ships flying your flag which are 3,000 GT or over		
Number of ships <3,000 GT and =>500 GT		
Number of ships <200 GT (please indicate if estimate)		

## Part II. Specific information

1. This section of the report follows the same organization as the Maritime Labour Convention, 2006 (MLC, 2006). It is divided into five Titles (Titles 1–5). Each Title sets out the related Regulations and Code provisions and asks for specific information on how they have been given effect in your country. For convenience, this form contains a description of the basic requirements in each area.<sup>1</sup> The relevant provisions of the Convention are identified in each question, so that their text can be consulted.
2. It will be noted that the provisions under each Regulation include a reference to the Guidelines in Part B of the Code to the Convention. Although it is not mandatory for Members to follow the Guidelines, due consideration must be given to them when Members implement their responsibilities under the Standards set out in Part A of the Code.

### Title 1. Minimum requirements for seafarers to work on a ship

<b>Regulation 1.1 – Minimum age</b> <b>Standard A1.1; Guideline B1.1</b>	
<ul style="list-style-type: none"> <li>■ Persons below the age of 16 shall not be employed or engaged or work on a ship.</li> <li>■ Seafarers under the age of 18 shall not be employed or engaged or work where the work is likely to jeopardize their health or safety.</li> <li>■ Night work for seafarers under the age of 18 is prohibited. ("Night" covers a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m.)</li> <li>■ Special attention should be paid to the needs of seafarers under the age of 18, in accordance with national laws and regulations.</li> </ul>	
Full information on all matters is to be found in the enclosed DMLC, Part I <input type="checkbox"/> /Part II <input type="checkbox"/> <b>Please check one or both boxes or provide the information in the right-hand column below.</b>	
What is the minimum age of seafarers? (Regulation 1.1, paragraph 1; Standard A1.1, paragraph 1)	
What period is defined as "night"? (Standard A1.1, paragraph 2)	
Is night work prohibited for seafarers under 18? (Standard A1.1, paragraph 2)	
Are any exceptions made to the night work prohibition? (Standard A1.1, paragraph 3)	If yes, please summarize the exceptions:
Is employment of seafarers under 18 prohibited where the work is likely to jeopardize their health or safety? (Standard A1.1, paragraph 4)	
What types of work have been determined to be likely to jeopardize the health or safety of seafarers under 18? (Standard A1.2, paragraph 4)	

<sup>1</sup> The description of basic requirements is based on the text adopted by tripartite expert meetings in September 2008 when they adopted *Guidelines for flag State inspections under the Maritime Labour Convention, 2006* (MEFS/2008/8(Rev.)) and from the text of the Maritime Labour Convention, 2006.

<p><b>Additional information</b> concerning implementation of Regulation 1.1 (see above: Practical guidance for drawing up reports, point 5).</p>
<p><b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).</p>

<p><b>Regulation 1.2 – Medical certificate</b> <b>Standard A1.2; Guideline B1.2</b></p>	
<ul style="list-style-type: none"> <li>■ Seafarers are not allowed to work on a ship unless they are certified as medically fit to perform their duties.</li> <li>■ A certificate must be in English for seafarers working on ships ordinarily engaged on international voyages.</li> <li>■ The medical certificate must have been issued by a duly qualified medical practitioner and must be still valid.</li> <li>■ The period of validity for a certificate:             <ul style="list-style-type: none"> <li>– two-year maximum for medical certificates except for seafarers under 18; then it is one year;</li> <li>– six-year maximum for a colour vision certificate.</li> </ul> </li> </ul> <p>NB. <i>Certificates issued in accordance with, or meeting the substance of, the applicable requirements, under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), as amended, are to be accepted as meeting these requirements.</i></p>	
<p>Full information on all matters is to be found in the enclosed DMLC, Part I <input type="checkbox"/>/Part II <input type="checkbox"/></p> <p><b>Please check one or both boxes or provide the information in the right-hand column below.</b></p>	
<p>Are seafarers required to be certified as medically fit to perform their duties? <i>(Regulation, 1.2, paragraph 1; Standard A1.2, paragraph 1)</i></p>	
<p>What requirements (or guidance) have been established concerning the nature of the medical examination and the right of appeal? <i>(Standard A1.2, paragraphs 2 and 5, and Guideline B1.2)</i></p>	
<p>What are the requirements concerning persons who can issue medical certificates and any certificate solely concerning eyesight? <i>(Standard A1.2, paragraph 4)</i></p>	
<p>What are the periods of validity for medical and colour vision certificates? <i>(Standard A1.2, paragraph 7)</i></p>	
<p><b>Additional information</b> concerning implementation of Regulation 1.2 (see above: Practical guidance for drawing up reports, point 5).</p>	
<p><b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).</p>	
<p><b>Documentation:</b> please provide, in English (see <i>Standard A1.2, paragraph 10</i>) an example of the standard wording in medical certificates.</p>	

<p><b>Regulation 1.3 – Training and qualifications</b></p>	
<ul style="list-style-type: none"> <li>■ Seafarers must be trained or certified as competent or otherwise qualified to perform their duties on board ship.</li> <li>■ Seafarers must have successfully completed training for personal safety on board ship.</li> <li>■ Obligations under Convention No. 74, if ratified, continue to apply.</li> </ul> <p>NB. <i>Training and certification in accordance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), as amended, is to be accepted as meeting these requirements.</i></p>	
<p>Full information on all matters is to be found in the enclosed DMLC, Part I <input type="checkbox"/>/Part II <input type="checkbox"/></p> <p><b>Please check one or both boxes or provide the information in the right-hand column below.</b></p>	

Do all seafarers have to be trained, certified or otherwise qualified for the duties they are to carry out on board ship? (Regulation 1.3, paragraph 1 – see also paragraph 4)	
Are all seafarers required to successfully complete training for personal safety on board ship? (Regulation 1.3, paragraph 2)	
Is training and certification in accordance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW), as amended, accepted? (Regulation 1.3, paragraph 3)	
<b>Additional information</b> concerning implementation of Regulation 1.3 (see above: Practical guidance for drawing up reports, point 5).	
<b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).	

**Regulation 1.4 – Recruitment and placement**  
**Standard A1.4; Guideline B1.4**

- Seafarer recruitment and placement services must not charge seafarers for their services.
- If private seafarer recruitment and placement services are operating in their territory, Members are responsible for establishing an effective inspection and monitoring system with respect to those services (Regulation 5.3; Standard A5.3, paragraph 1).
- If seafarer recruitment and placement services for nationals to work on flag ships are operated by seafarers' organizations in the Member's territory it must be operated in accordance with the Standard in the Convention.
- Any public seafarer or recruitment service in a Member's territory must be operated in an orderly manner that promotes seafarers' employment rights under the Convention.
- Flag States are responsible for requiring, in cases where shipowners use recruitment and placement services based in States not party to the MLC, 2006, that these shipowners have an appropriate system in place for ensuring, as far as practicable, that these recruitment and placement services meet the requirements under Standard A1.4.

	<b>Please check the boxes below or provide the information requested</b>
If <b>private</b> seafarer recruitment and placement services, or services operated by seafarers' organizations to place seafarers on national flag ships, are operating in your country, please provide information about the standardized system for licensing or certification or other form of regulation (Regulation 1.4; Standard A1.4, paragraphs 2, 3, 4 and 5) and the inspection and monitoring system for those services. (Standard A1.4, paragraph 6).	No private services operate in our country <input type="checkbox"/>
If <b>public</b> recruitment placement services are operating in your country, please state the basic principles ensuring that they are operated in an orderly way that has given due consideration to the recommendations in Guideline B1.4, paragraph 2. (Standard A1.4, paragraph 1 and in Guideline B1.4, paragraph 2).	No public services operate in our country <input type="checkbox"/>
If public or private recruitment placement services are operating in your country, please outline the machinery and procedures for investigating complaints about their activities. (Standard A1.4, paragraph 7).	No public or private services operate in our country <input type="checkbox"/>
Where shipowners use recruitment and placement services that operate in countries that have not ratified the Convention, what kind of action is expected of them in order to ensure, as far as practicable, that the services concerned meet the requirements of the Convention? (Regulation 1.4, paragraph 3; Standard A1.4, paragraphs 9 and 10)	Full information on this matter is to be found in the enclosed DMLC, Part I <input type="checkbox"/> /Part II <input type="checkbox"/>

**Additional information** concerning implementation of Regulation 1.4 (see above: Practical guidance for drawing up reports, point 5).

**Explanations** (see above: Practical guidance for drawing up reports, point 7).

## Title 2. Conditions of employment

### Regulation 2.1 – Seafarers’ employment agreements Standard A2.1; Guideline B2.1

- All seafarers must have a copy of their seafarers’ employment agreement (SEA) signed by both the seafarer and the shipowner or shipowner’s representative (or, where they are not employees, other evidence of contractual or similar arrangements).
- A SEA must, at a minimum, contain the matters set out in Standard A2.1, paragraph 4 (a)–(j) and, as applicable, (k), of the MLC, 2006 (*Standard A2.1, paragraph 4*).
- Where a collective bargaining agreement forms all or part of the SEA, the agreement must be on board the ship with relevant provisions in English (except for ships engaged only in domestic voyages) (*Standard A2.1, paragraph 2*).
- Seafarers are to be given an opportunity to examine and seek advice on a SEA before signing (*Standard A2.1, paragraph 1(b)*).
- Seafarers must be given a document containing a record of their employment (that does not contain any statement as to the quality of their work or wages) on the ship (*Standard A2.1, paragraphs 1(e) and 3; Guideline B 2.1.1, paragraph 1*).
- Information about the conditions for their employment must be easy for seafarers to obtain when on board ship and must be accessible for inspection-related reviews.
- Minimum notice periods for early termination of a SEA must be established in laws or regulations.

Full information on all matters is to be found in the enclosed DMLC, Part I /Part II

**Please check one or both boxes or provide the information in the right-hand column below.**

What are the minimum notice periods to be given by seafarers and by shipowners for the early termination of a seafarer’s employment agreement?  
(*Standard A2.1, paragraph 5*)

Do national laws or regulations or collective agreements provide for circumstances justifying termination of the employment agreement at shorter notice or without notice?  
(*Standard A2.1, paragraph 6*)

If yes, please summarize the provisions concerned:

Please summarize your country’s requirements to ensure that seafarers are given an opportunity to review and seek advice on their SEA before signing.  
(*Standard A2.1, paragraph 1(b)*)

Please summarize your country’s requirements to ensure that seafarers have easy access on board ship to information about their conditions of employment.  
(*Standard A2.1, paragraph 1(d)*)

**Additional information** concerning implementation of Regulation 2.1 (see above: Practical guidance for drawing up reports, point 5).

**Explanations** (see above: Practical guidance for drawing up reports, point 7).

**Documentation:** please provide in English (see *Standard A2.1, paragraph 2, and Guideline B2.1.1, paragraph 1*):

- an example of the approved document for seafarers’ record of employment (*Standard A2.1, paragraphs 1 and 3, and Guideline B2.1.1, paragraph 1*);
- a standard form example of a seafarers’ employment agreement (*Standard A2.1, paragraph 2(a)*);
- the relevant portion of any applicable collective bargaining agreement (*Standard A2.1, paragraph 2(b)*).

<b>Regulation 2.2 – Wages</b> <b>Standard A2.2; Guideline B2.2</b>	
<ul style="list-style-type: none"> <li>■ Seafarers must be paid at no greater than monthly intervals and in full for their work in accordance with their employment agreements and any applicable collective agreement.</li> <li>■ Seafarers are entitled to an account each month indicating their monthly wage and any authorized* deductions (such as allotments**).</li> <li>■ Flag States may wish to consider requiring shipowners to carry on board their ships' documents such as a copy of payroll or electronic record sheets.</li> <li>■ Charges for remittances/allotment transmission services must be reasonable and exchange rates in accordance with national requirements. <ul style="list-style-type: none"> <li>* No unauthorized deductions, such as payments for travel to or from the ship.</li> <li>** An allotment is an arrangement whereby a proportion of seafarers' earnings are regularly remitted, on their request, to their families or dependants or legal beneficiaries whilst the seafarers are at sea.</li> </ul> </li> </ul>	
Full information on all matters is to be found in the enclosed DMLC, Part I <input type="checkbox"/> /Part II <input type="checkbox"/> <b>Please check one or both boxes or provide the information in the right-hand column below.</b>	
What are the main items that must be included in the monthly account that seafarers receive on board ship? <i>(Regulation 2.2 and Standard 2.2, paragraph 1)</i>	
Please outline the measures taken by shipowners to provide seafarers with a means to transmit all or part of their earnings to their families or dependants or legal beneficiaries. <i>(Standard A2.2, paragraphs 3 and 4).</i>	
What is the basis for determining the reasonable charge, if any is made, by shipowners for transmission services and for determining any relevant exchange rate? <i>(Standard A2.2, paragraph 5)</i>	
<b>Additional question</b> for countries whose national laws or regulations govern the calculation or amount of seafarers' wages: please indicate the extent to which Guideline B2.2 is followed <i>(Standard A2.2, paragraph 6).</i>	
<b>Additional information</b> concerning implementation of Regulation 2.2 (see above: Practical guidance for drawing up reports, point 5).	
<b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).	

<b>Regulation 2.3 – Hours of work and hours of rest</b> <b>Standard A2.3; Guideline B2.3</b>	
<ul style="list-style-type: none"> <li>■ The maximum hours of work or the minimum hours of rest must be established in national laws or regulations (the minimum hours of rest must not be less than ten hours in any 24-hour period and 77 hours in any seven-day period, or the maximum hours of work must not exceed 14 hours in any 24-hour period and 72 hours in any seven-day period).</li> <li>■ Account must be taken of the danger posed by the fatigue of seafarers.</li> <li>■ Hours of rest may be divided into no more than two periods, one of which must be at least six hours; the interval between consecutive periods of rest must not exceed 14 hours.</li> <li>■ Any mandatory musters or drills must be conducted in a way that minimizes disturbance of rest hours and does not induce fatigue.</li> <li>■ Seafarers on call must be given compensatory rest if the normal rest period is interrupted.</li> <li>■ A schedule/table of service at sea and service at port for all positions, in a standardized format in the working language(s) of the ship and English, and the applicable limits under a law or regulation or a collective agreement, must be posted in an accessible location on board ships.</li> <li>■ Seafarers' daily hours of work or rest must be recorded in an approved standard format and in the working language(s) of the ship and English and must be endorsed by the seafarer (who is given a copy) and the master (or authorized person).</li> </ul>	

Full information on all matters is to be found in the enclosed DMLC, Part I <input type="checkbox"/> /Part II <input type="checkbox"/> <b>Please check one or both boxes or provide the information in the right-hand column below.</b>	
Are the requirements in your country that implement Regulation 2.3 based on maximum hours of work or on minimum hours of rest? (Regulation 2.3, paragraphs 1 and 2)	Maximum hours of work <input type="checkbox"/> Minimum hours of rest <input type="checkbox"/>
Please indicate how account is taken of the danger posed by the fatigue of seafarers. (Regulation 2.3, paragraph 4)	
Please state the maximum hours of work or minimum hours of rest. (Standard A2.3, paragraphs 2 and 5)	How many hours of work per 24 hours? ___ How many hours of work per seven days? ___ or How many hours of rest per 24 hours? ___ How many hours of rest per seven days? ___
Are more than two periods of rest per 24 hours prohibited in all cases? Must one period of rest per 24 hours always be at least six hours in length? Must the interval between periods of rest in all cases be 14 hours at most? (Standard A2.3, paragraph 6)	If the answer to any question is "no", please provide the necessary information.
Please indicate the requirements relating to the minimizing of disturbances by drills etc. and the granting of compensatory rest covered by Standard A2.3, paragraphs 7, 8, 9 and 14.	
What is the normal working hours standard for seafarers? (Standard A2.3, paragraph 3)	
Have any collective agreements been authorized or registered that permit exceptions to the established limits? (Standard A2.3, paragraph 13)	If yes, please provide a copy of the relevant provisions under "Documentation" below.
What measures are taken to ensure the recording of accurate daily hours of work or rest? (Standard A2.3, paragraph 12)	
Please indicate the extent to which Guideline B2.3 is followed in the case of seafarers under 18.	
<b>Additional information</b> concerning implementation of Regulation 2.3 (see above: Practical guidance for drawing up reports, point 5).	
<b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).	
<b>Documentation:</b> please provide, in English (see Standard A2.3, paragraphs 10 and 11):	
<ul style="list-style-type: none"> <li>– a copy of the approved standardized table for shipboard working arrangements (Standard A2.3, paragraphs 10 and 11);</li> <li>– a copy of the standard form established by the competent authority for the recording of seafarers' daily hours of work or their daily hours of rest (Standard A2.3, paragraph 12);</li> <li>– a copy of any authorized or registered collective agreement provisions that establish seafarers' normal working hours or permit exceptions to the established limits (Standard A2.3, paragraphs 3 and 13).</li> </ul>	

<b>Regulation 2.4 – Entitlement to leave</b> <b>Standard A2.4; Guideline B2.4</b>	
<ul style="list-style-type: none"> <li>■ Seafarers must be given paid annual leave.</li> <li>■ Seafarers are to be granted shore leave to benefit their health and well-being and consistent with the operational requirements of their positions.</li> <li>■ The minimum annual paid leave must be determined in laws and regulations.</li> <li>■ Subject to any collective agreement or national laws or regulations providing a differing method of calculation, the entitlement to paid annual leave is to be calculated on the basis of 2.5 calendar days per month of employment.</li> <li>■ Except in cases authorized by the competent authority, any agreement to forgo the minimum leave must be prohibited.</li> </ul>	
<p>Full information on all matters is to be found in the enclosed seafarers' employment agreement <input type="checkbox"/>/collective agreement provisions <input type="checkbox"/></p> <p><b>Please check one or both boxes or provide the information in the right-hand column below.</b></p>	
What is the minimum paid annual leave for seafarers on ships flying the flag of your country? (Standard A2.4, paragraphs 1 and 2)	
How are seafarers' entitlements to paid annual leave calculated in your country? (Standard A2.4, paragraph 2; Guideline B.2.4)	
Have any agreements to forgo annual leave with pay been authorized by the competent authority in your country? (Standard A2.4, paragraph 3)	
Are shipowners required to give seafarers appropriate shore leave? (Regulation 2.4, paragraph 2)	
<b>Additional information</b> concerning implementation of Regulation 2.4 (see above: Practical guidance for drawing up reports, point 5).	
<b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).	
<b>Documentation:</b> Please provide a copy of the provisions in any applicable collective agreement which provides for the calculation of the minimum paid annual leave on a basis that differs from a minimum of 2.5 days per month of employment (Standard A2.4, paragraph 2); where the provisions are not available in English, French or Spanish, please provide a summary in one of those languages.	

<b>Regulation 2.5 –Repatriation</b> <b>Standard A2.5; Guideline B2.5</b>
<ul style="list-style-type: none"> <li>■ Seafarers are to be repatriated, and at no cost to themselves except to the extent that the Code permits otherwise.</li> <li>■ Seafarers are entitled to repatriation in the following circumstances: <ul style="list-style-type: none"> <li>– if the seafarers' employment agreement expires while they are abroad;</li> <li>– when their seafarers' employment agreement is terminated: <ul style="list-style-type: none"> <li>– by the shipowner; or</li> <li>– by the seafarer for justified reasons; and</li> </ul> </li> <li>– 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.</li> </ul> </li> <li>■ Seafarers' repatriation entitlements are to be provided for in national laws and regulations or other measures or collective bargaining agreements.</li> <li>■ Shipowners must provide financial security to ensure that repatriation will occur.</li> <li>■ A copy of the applicable national provisions regarding repatriation must be carried on ships and made available to seafarers in an appropriate language.</li> <li>■ Repatriation of seafarers on ships coming into port or navigating a country's waters is to be facilitated.</li> <li>■ Repatriation of a seafarer is not to be refused because of the financial situation of the shipowner or the shipowner's refusal to replace a seafarer.</li> </ul>

<p>Full information on all matters is to be found in the enclosed seafarers' employment agreement <input type="checkbox"/>/collective agreement provisions <input type="checkbox"/>  <b>Please check one or both boxes or provide the information in the right-hand column below.</b></p>	
<p>What kind of financial security is provided by shipowners in your country and how is the amount calculated?  <i>(Regulation 2.5, paragraph 2)</i></p>	
<p>What are the circumstances (including the maximum period of service on board a ship) in which a seafarer has a right to repatriation?  <i>(Regulation 2.5, paragraph 1; Standard A2.5, paragraphs 1 and 2; Guideline B2.5.1, paragraphs 1 and 2)</i></p>	
<p>Are there any circumstances in which a seafarer can be expected to pay for the cost of his or her repatriation?  <i>(Standard A2.5, paragraph 3)</i></p>	
<p>What costs or facilities are to be borne or provided by shipowners for the repatriation of seafarers?  <i>(Standard A2.5, paragraph 2(c); Guideline B2.5.1, paragraphs 3–5)</i></p>	
<p>Has your country refused a request to facilitate repatriation of a seafarer?  <i>(Standard A2.5, paragraphs 7 and 8)</i></p>	<p>If yes, please provide information.</p>
<p><b>Additional information</b> concerning implementation of Regulation 2.5 (see above: Practical guidance for drawing up reports, point 5).</p>	
<p><b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).</p>	
<p><b>Documentation:</b> please provide:</p> <ul style="list-style-type: none"> <li>– a copy of the provisions on seafarers' entitlement to repatriation in any applicable collective bargaining agreements <i>(Standard A2.5, paragraph 2)</i>;</li> <li>– an example of the kind of documentation that is accepted or issued with respect to the financial security that must be provided by shipowners <i>(Regulation 2.5, paragraph 2)</i>.</li> </ul> <p>Where this material is not available in English, French or Spanish, please provide a summary in one of those languages.</p>	

<p><b>Regulation 2.6 – Seafarers' compensation for the ship's loss or foundering</b>  <b>Standard A2.6; Guideline B2.6</b></p>	
<p>■ Rules must be made to ensure that shipowners pay seafarers on board an indemnity against unemployment resulting from their ship's loss or foundering.</p>	
<p>Full information on all matters is to be found in the enclosed seafarers' employment agreement <input type="checkbox"/>/collective agreement provisions <input type="checkbox"/>  <b>Please check one or both boxes or provide the information in the right-hand column below.</b></p>	
<p>How is the indemnity to be provided by shipowners to seafarers against injury, loss or unemployment in the case of a ship's loss or foundering calculated (including any limitations)?  <i>(Standard A2.5, paragraph 1; Guideline B2.5, paragraph 1)</i></p>	
<p><b>Additional information</b> concerning implementation of Regulation 2.6 (see above: Practical guidance for drawing up reports, point 5).</p>	
<p><b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).</p>	

<b>Regulation 2.7 – Manning levels</b> <b>Standard A2.7; Guideline B2.7</b>	
<ul style="list-style-type: none"> <li>■ 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, taking into account concerns about fatigue and the particular nature and conditions of voyage.</li> <li>■ Ships must comply with the manning levels listed on the safe manning document (SMD) or equivalent issued by the competent authority.</li> <li>■ Manning levels must take account of food and catering requirements.</li> </ul>	
Full information on all matters is to be found in the enclosed DMLC, Part I <input type="checkbox"/> /Part II <input type="checkbox"/> <b>Please check one or both boxes or provide the information in the right-hand column below.</b>	
Do the safe manning levels determined by the competent authority avoid or minimize excessive hours of work and ensure sufficient rest for seafarers to assure the safety and security of the ship and its personnel in all operating conditions and considering the particular nature and conditions of a voyage? <i>(Regulation 2.7; Standard A2.1, paragraphs 1 and 2)</i>	
How do the safe manning levels take into account the requirements under Regulation 3.2 and Standard A3.2 concerning food and catering? <i>(Standard A2.1, paragraph 3)</i>	The answer is apparent from the documentation requested below <input type="checkbox"/>
How are complaints or disputes about determinations on the safe manning levels on a ship settled? <i>(Guideline B2.7)</i>	
<b>Additional information</b> concerning implementation of Regulation 2.7 (see above: Practical guidance for drawing up reports, point 5).	
<b>Explanations</b> (see above: Practical guidance for drawing up reports, point 7).	
<b>Documentation:</b> For each type of ship (passenger, cargo, etc.) please provide, in English, a typical example of a safe manning document or equivalent issued by the competent authority ( <i>Standard A2.7, paragraph 1</i> ), together with information showing the type of ship concerned, its gross tonnage and the number of seafarers normally working on it.	

<b>Regulation 2.8 – Career and skill development and opportunities for seafarers' employment</b> <b>Standard A2.8; Guideline B2.8</b>	
<ul style="list-style-type: none"> <li>■ Each Member must have national policies aimed at strengthening the competencies, qualifications and employment opportunities of seafarers domiciled on its territory.</li> <li>■ Clear objectives must be established for vocational guidance, education and training of seafarers whose duties on board ship primarily relate to safe operation and navigation.</li> </ul>	
According to our records, there are no seafarers domiciled in our territory <input type="checkbox"/> <b>Please check the box or provide the information in the right-hand column below.</b>	
Does your country have national policies to encourage the career and skill development and employment opportunities for seafarers that are domiciled in your country? <i>(Regulation 2.8, paragraph 1; Standard A2.8, paragraphs 1 and 3)</i>	If no, please provide relevant information:
If the answer to the previous question is "yes", please outline the kind of policies established, indicating the extent to which Guideline B2.8.1 is followed.	
If your country has a register or list of seafarers that governs their employment, to what extent is the guidance in Guideline B2.8.2 followed?	There are no registers or lists governing seafarers' employment <input type="checkbox"/>

**Additional information** concerning implementation of Regulation 2.8 (see above: Practical guidance for drawing up reports, point 5).

**Explanations** (see above: Practical guidance for drawing up reports, point 7).