|  |  |
| --- | --- |
|  | **KIRIBATI SHIP REGISTRY**  **Maritime Labour Convention, 2006**  **Application form for**  **Declaration of Maritime Labour Compliance – Part I** |

|  |  |  |
| --- | --- | --- |
| **Name of Ship** | **IMO Number** | **Gross Tonnage** |
|  |  |  |

**(A) In accordance with Maritime Labour Convention 2006, as amended, the national requirements are contained in the national provisions referenced below:**

|  |
| --- |
| **1. Minimum age (Regulation 1.1)** |
| 1. The employment, engagement or work on board a Kiribati ship of any person under the age of 16 years old shall be prohibited. 2. Night work from 9 p.m. to 6 a.m. for seafarers under the age of 18 years old shall be prohibited. 3. The employment, engagement or work of seafarers under the age of 18 years old shall be prohibited where the work is likely to jeopardize their health or safety. |

|  |
| --- |
| **2. Medical certification (Regulation 1.2)** |
| 1. Prior to commencing work and throughout their intended stay on board a Kiribati ship, seafarers shall hold a valid medical certificate attesting that they are medically fit to perform the duties they are to carry out on board the ship. 2. A medical certificate in the English language shall be issued by a duly qualified medical practitioner in accordance with the requirements of STCW, ILO or WHO. 3. A medical certificate shall be valid for a maximum period of two years unless the seafarer is under the age of 18 years old, in which case the maximum period of validity shall be one year. A certification of colour vision shall be valid for a maximum period of six years. |

|  |
| --- |
| **3. Qualifications of seafarers (Regulation 1.3)** |
| 1. Seafarers working on board Kiribati ship are to be trained or certified as competent or otherwise qualified to perform their duties. 2. Seafarers shall have successfully completed training for personal safety on board ship prior commencing their employment. 3. Training and certification in accordance with the mandatory instruments adopted by the International Maritime Organization shall be considered as meeting the above requirements. |

|  |
| --- |
| **4. Seafarers’ employment agreements (Regulation 2.1)** |
| 1. Seafarers working on Kiribati ship shall have a seafarers’ employment agreement signed by both the seafarer and the shipowner or a representative of the shipowner, providing them with decent working and living conditions on board the ship as required by this Convention. 2. Seafarers signing a seafarers’ employment agreement shall be given an opportunity to examine and seek advice on the agreement before signing, as well as such other facilities as are necessary to ensure that they have freely entered into an agreement with a sufficient understanding of their rights and responsibilities. 3. The shipowner and seafarer concerned shall each have a signed original of the seafarers’ employment agreement. 4. Measures shall be taken to ensure that clear information as to the conditions of their employment can be easily obtained on board by seafarers, including the ship’s master, and that such information, including a copy of the seafarers’ employment agreement, is also accessible for review by officers of a competent authority, including those in ports to be visited. 5. Seafarers shall be given a document containing a record of their employment on board the ship. 6. Where a collective bargaining agreement forms all or part of a seafarers’ employment agreement, a copy of that agreement shall be available on board in English together with an English copy of the seafarers’ employment agreement. 7. A seafarer’s employment agreement shall continue to have effect while a seafarer is held captive on or off a ship due to acts of piracy or armed robbery against the ship. |

|  |
| --- |
| **5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)** |
| 1. All seafarers shall have access to an efficient, adequate and accountable system for finding employment on board ship without charge to the seafarer. 2. Seafarer recruitment and placement services operating in Kiribati or other MLC country’s territory shall be certified to conform to the standards as set out in the Convention. 3. Shipowners who use seafarer recruitment and placement services that are based in Non-MLC countries in which the Convention does not apply, shall ensure, as far as practical, that those services conform to the requirements as set out in the Convention and shipowners are solely responsible for any consequences of non-compliance arising from the usage of those services such as Port State Control detention or other restriction imposed on the ship. |

|  |
| --- |
| **6. Hours of work or rest (Regulation 2.3)** |
| 1. Shipowners shall ensure that every seafarer is entitled to a minimum number of hours of rest of not less than:    1. 10 hours in any 24-hour period; and    2. 77 hours in any 7-day period. 2. The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length, and the interval between consecutive periods of rest shall not exceed 14 hours. 3. The shipboard working arrangement and records of seafarers’ daily hours of rest shall be maintained in the working language or languages of the ship, and in English, and be easily accessible for inspections and monitoring compliance. |

|  |
| --- |
| **7. Manning levels for the ship (Regulation 2.7)** |
| Shipowners shall ensure that every ship shall be manned by a crew that is adequate, in terms of size and qualifications, to ensure the safety and security of the ship and its personnel, under all operating conditions, in accordance with the minimum safe manning certificate or an equivalent issued by the Kiribati Ship Registry, and to comply with the standards of this Convention. |

|  |
| --- |
| **8. Accommodation (Regulation 3.1)** |
| 1. Every ship shall provide and maintain decent accommodations for seafarers working or living on board, consistent with promoting the seafarers’ health and well-being. 2. The requirements in the Convention implementing this Regulation which relate to ship construction and equipment apply only to ships constructed on or after the date when this Convention comes into force on 20 August 2013. For ships constructed before that date, the requirements relating to ship construction and equipment that are set out in the Accommodation of Crews Convention (Revised), 1949 (No. 92), and the Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133), shall continue to apply to the extent that they were applicable, prior to that date, under the law or practice of the Party that the ship was built to. A ship shall be deemed to have been constructed on the date when its keel is laid or when it is at a similar stage of construction. 3. The competent authority shall require frequent inspections to be carried out on board ships, by or under the authority of the master, to ensure that seafarer accommodation is clean, decently habitable and maintained in a good condition. The results of each such inspection shall be recorded and be available for review. |

|  |
| --- |
| **9. On-board recreational facilities (Regulation 3.1)** |
| 1. Every Kiribati ship shall provide and maintain on-board recreational facilities for seafarers working or living on board, consistent with promoting the seafarers’ health and well-being. 2. The requirements of on-board recreational facilities in the Convention are applicable to ships constructed on or after the date when this Convention comes into force on 20 August 2013. For ships constructed before that date, the requirements are set out in the Accommodation of Crews Convention (Revised), 1949 (No. 92), and the Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133), shall continue to apply to the extent that they were applicable, prior to that date, under the law or practice of the Party that the ship was built to. |

|  |
| --- |
| **10. Food and catering (Regulation 3.2)** |
| 1. Shipowners shall provide seafarers, free of charge, with hygienic food and drinking water, of appropriate quality, variety, nutritional value and quantity that adequately covers the requirements of the ship and takes into account the differing cultural and religious backgrounds, and the duration and nature of the voyage. 2. Seafarers employed as ships’ cooks with responsibility for food preparation must be trained and qualified for their position on board ship. 3. In accordance with the ongoing compliance procedures, it shall be required that frequent documented inspections be carried out on board ships, by or under the authority of the master, with respect to:    1. supplies of food and drinking water;    2. all spaces and equipment used for the storage and handling of food and drinking water; and    3. galley and other equipment for the preparation and service of meals. |

|  |
| --- |
| **11. Health and safety and accident prevention (Regulation 4.3)** |
| 1. Shipowners shall provide the seafarers on Kiribati ships with safety and occupational health protection and to live, work and train on board in a safe and hygienic environment. 2. The shipowners shall adopt effective implementation, continuous improvement and promotion of occupational safety and health policies and programmes on Kiribati ships, including risk evaluation as well as training and instruction of seafarers for the prevention of occupational accidents, injuries and diseases on board ship, and measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals as well as the risk of injury or disease that may arise from the use of equipment and machinery on board ships. 3. When there are five or more seafarers on board the ship, there shall be a ship’s safety committee with the Master or an elected safety representative:    1. to implement and comply with the ship’s occupational safety and health policy and programme;    2. to continuously improve the health and safety protection, and accident prevention conditions on board;    3. to conduct regular safety meetings including inspections, reporting and correcting unsafe conditions; and    4. to investigate and report on-board occupational accidents with corrective and preventive measures implemented to avoid recurrence. |

|  |
| --- |
| **12. On-board medical care (Regulation 4.1)** |
| 1. Shipowners shall ensure that measures providing for health protection and medical care, including essential dental care, for seafarers working on board a Kiribati ship are adopted which:    1. ensure the application to seafarers of any general provisions on occupational health protection and medical care relevant to their duties, as well as of special provisions specific to work on board ship;    2. ensure that seafarers are given health protection and medical care as comparable as possible to that which is generally available to workers ashore, including prompt access to the necessary medicines, medical equipment and facilities for diagnosis and treatment and to medical information and expertise;    3. give seafarers the right to visit a qualified medical doctor or dentist without delay in ports of call, where practicable;    4. ensure that 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;    5. are not limited to treatment of sick or injured seafarers but include measures of a preventive character such as health promotion and health education programmes; 2. Every ship shall carry a medicine chest, medical equipment and a medical guide in accordance to international recommendations including the latest edition of the International Medical Guide for Ships and other relevant guides, considering the type of ship, number of persons on board and the nature, destination and duration of voyage, and subject to regular inspection of intervals not exceeding 12 months by the competent authority. 3. Ships carrying 100 or more persons and normally engaged on international voyages of more than three days’ duration shall carry a qualified medical doctor who is responsible for providing medical care. Ships which do not carry a medical doctor shall be required to have at least one seafarer on board who is in charge of medical care and administering medicine as part of their regular duties and has satisfactorily completed training in medical care that meets the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended. |

|  |
| --- |
| **13. On-board complaint procedures (Regulation 5.1.5)** |
| 1. There shall be on-board procedures for the fair, effective and expeditious handling of seafarer complaints alleging breaches of the requirements of this Convention, seeking to resolve complaints at the lowest level possible. The seafarers shall have a right to complain directly to the master and, where they consider it necessary, to the shipowner and the competent authorities. 2. Any kind of victimization of a seafarer for filing a complaint shall be prohibited or penalized. 3. In addition to a copy of their seafarers’ employment agreement, all seafarers shall be provided with a copy of the on-board complaint procedures applicable on the ship, which shall include contact information for the shipowner and competent authorities. |

|  |
| --- |
| **14. Payment of wages (Regulation 2.2)** |
| 1. Shipowners shall ensure that all seafarers are paid for their work regularly at no greater than monthly intervals and in full in accordance with their employment agreements and any applicable collective agreement. 2. Seafarers shall be given a monthly account of the payments due and the amounts paid, including wages, additional payments and a reasonable prevailing market rate of exchange used where payment has been made in a currency or at a rate different from the one agreed to. 3. Shipowners shall be required to take measures to provide seafarers with a means to transmit all or part of their earnings to their families or dependants or legal beneficiaries as allotted in due time. 4. Shipowners shall ensure that all seafarers are continued to be provided wages and other entitlements under their employment agreements and any applicable collective agreement, including payment of allotments as provided in 14.3 above, during the entire period of captivity as a result of piracy or armed robbery until the seafarer is released and duly repatriated, or where the seafarer dies while in captivity, until the date of death. |

|  |
| --- |
| **15.** **Financial Security for Repatriation (Regulation 2.5)** |
| 1. Ship owners / operators shall ensure that all seafarers are covered by a financial security provider for repatriation even in the event of abandonment, and the financial security shall cover:    1. Outstanding wages and other entitlements due from the ship owner to the seafarer in accordance with their seafarers’ employment agreement and any applicable collective agreement, limited to four (4) months of any such outstanding wages and four (4) months of any such outstanding entitlements;    2. All expenses reasonably incurred by the seafarer, including the cost of repatriation which shall cover travel by appropriate and expeditious means; and    3. The essential needs of the seafarer which includes items such as: adequate food, clothing where necessary, accommodation, drinking water supplies, essential fuel for survival on board the ship, necessary medical care, passage and transport of personal effects, and any other reasonable costs or charges from the act or omission constituting the abandonment until the seafarer’s arrival home. 2. A certificate or other documentary evidence of financial security issued by a financial security provider shall be posted in a conspicuous place on board and easily available to the seafarers and shall be in English or accompanied by an English translation. If there is more than one financial security provider providing the cover, then the certificate or other documentary evidence of each provider shall be carried on board. |

|  |
| --- |
| **16. Financial Security relating to Shipowners’ Liability (Regulation 4.2)** |
| 1. Ship owners / operators shall ensure that all seafarers are covered by a financial security provider for contractual claims which refer to any claim relating to death or long-term disability of a seafarer due to an occupational injury, illness or hazard as set out in the seafarers’ employment agreement and any applicable collective agreement. 2. A certificate or other documentary evidence of financial security issued by a financial security provider shall be posted in a conspicuous place on board and easily available to the seafarers and shall be in English or accompanied by an English translation. If there is more than one financial security provider providing the cover, then the certificate or other documentary evidence of each provider shall be carried on board. |

**(B) Substantial equivalencies**

Are there any Substantial Equivalencies? **No  Yes  (please specify below)**

**(C) Exemptions**

Are there any Exemptions required? **No  Yes  (please specify below)**

Name of shipowner1 :

Company address :

Signature of the authorised signatory: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of the authorised signatory :

Title :

Date :

(Stamp or seal of the shipowner1)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1 Shipowner means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organizations or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. See Article II(1)(j) of the Convention.