

Maritime Labour Convention

MLC Manual

- How to obtain the MLC Certificate



Danish Shipowners' Association



The Shipowners' Association of 2010

Danish Car Ferry Association

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I - Preface

At a maritime conference in 2006 the UN's International Labour Organization (ILO) adopted a convention concerning working conditions for seafarers, the Maritime Labour Convention (MLC). The convention compiles 37 conventions and 30 recommendations into one single instrument comprising all requirements for seafarers' working conditions.

The convention determines the level of working conditions for seafarers globally. Flag states, and consequently shipowners, who have so far observed lower standards for working conditions, can after the implementation of the convention no longer continue this practice. This is expected to hold advantages for Danish shipping, which already offers seafarers on board Danish ships a high level of employment conditions and social protection.

The convention is regarded a corner stone in modern shipping, along with the SOLAS-, MARPOL- AND STCW-conventions. Similar to the requirements in these conventions, the enforcement of the MLC will take place through port state control and by flag states - in the latter case by the Danish Maritime Authority (DMA), which is expected to partly or fully delegate the practical work to the classification societies.

The countries that have ratified the MLC will enforce the obligations of the convention - also in regard to ships flying flags of countries that have not ratified it. This is assuring a global implementation of the convention and also prevents any competitive advantage from flying the flag of a non-ratifying country.

In order to document that a ship is in compliance with the requirements of the MLC - as implemented in **national** (i.e. Danish) **legislation** - a certificate, which must enclose a statement of compliance in two parts, is issued. **Part I** is executed by the DMA and defines, among other things, where and how the stipulations of the convention are incorporated in the Danish rules. **Part II** is executed by the shipowner and defines, among other things, the measures taken in order to ensure continuous compliance with the national requirements as described in Part I.

With a view to outlining and facilitating the members' obligations in connection with this certification, a project group within the Associations (Danish Shipowners' Association, Danish Car Ferry Association and Shipowners' Association of 2010), duly assisted by the DMA, have issued these guidelines in the shape of an "MLC manual".

The objective of the MLC Manual is to offer recommendable and practical guidelines for the ways in which Danish shipowners and their vessels can be MLC-certified. Departing from the chapter "get started" and the mentioned examples of measures to be taken in order to fulfil the requirements, the project group hopes that the tasks leading to MLC-certification will stand in a clearer and more tangible light.

An electronic version of the MLC Manual from which members are free to copy and elaborate on the text is available on the member area of the shipowners website. The electronic version of the MLC Manual will be updated regularly upon the receipt of relevant additional information.

This manual would not have been possible without the support and co-cooperativeness of the members of the three working groups chaired by Palle B. Jensen, Scandlines, Hans Christian Orloff Petersen, A. P. Møller – Maersk and Tom F. Møller, DFDS. The Shipowners' Associations would like to acknowledge and express their gratitude for the assistance provided, not only by those named but by all involved in the process.

We wish you happy reading.

While the advice given in this manual has been developed using the best information currently available, it is intended purely as guidance to be used at the user's own risk. No responsibility is accepted by the Shipowners' Associations or by any person, firm or organisation furnishing information or data to this manual or for the accuracy of any information or advice given herein or for any omission here from or from any consequences whatsoever resulting directly or indirectly from compliance with or adoption of guidance contained herein even if caused by a failure to exercise reasonable care.

II - Introduction

Much of what has been said and written about MLC in recent years has been strongly inspired by the contents of the guidelines that the ILO has issued since the adoption of the convention in 2006. The guidelines are largely relevant to those flag- and port states which have no profound tradition for regulating the conditions dealt with by the convention.

An international legal framework on social standards ensures a level playing field in the global economy. It helps governments and employers to avoid the temptation of lowering labour standards in the belief that this could give them a greater competitive advantage in international trade. In the long run such practices do not benefit anyone. Because international labour standards are minimum standards adopted by governments and the social partners, it is in everyone's interest to see these rules applied across the board, so that those who do not put them into practice do not undermine the efforts of those who do.

For flag states like Denmark, where there is a long tradition for regulating the conditions dealt with by the convention and where the implementation of MLC has only entailed minor adjustments of the maritime set of rules, the guidelines of the ILO are prone to giving a rather distorted picture of the task facing the shipowners in connection with MLC-certification.

With that in mind, it is especially important to emphasize that conventions like MLC apply to and obligates the ratifying states rather than the individual shipowners and ships. Conventions do not constitute **universal sets of rules**, but rather **international norms**, which the individual states can implement each in its own way and on the background of their own regulatory traditions.

Consequently, Danish shipping companies and ships need not concern themselves with the text of the convention and related guidelines, but focus on compliance with the Danish regulations implementing the convention. Danish regulations has only been altered to the extent that elements of the convention has been found not already incorporated in existing legislation.

The creation of the MLC Manual has therefore focused more on the adapted Danish regulations than on the ILO inspired material, which has been the main focal point of other players, e.g. the classification societies, in their approach to the task.

Due to the fact that it is the classification societies who - on behalf of the DMA - are going to carry out the MLC-inspection of the majority of Danish ships, it has been crucial that the DMA is prepared to adopt the model and the solutions on which the MLC Manual is based. This should preclude any unnecessary discussion between the surveyors and the shipowners concerning choice of method in connection with the certification.

On the other hand it cannot be ignored that the conditions dealt with by the convention will be subject to port state control. This will entail some sort of evaluation by the authorities of other nations as to whether ships entering their territories live up to the convention. As a principal rule, however, it is deemed sufficient that a ship can produce its MLC-certificate issued by - or on behalf of - the DMA. Never the less, it cannot be ruled out that some port

state inspectors may challenge, question and examine some of the conditions described in the statements of compliance.

Inspectors performing port state control must be expected to be more conversant with the text of the convention than with the contents of the Danish rules of implementation. Especially in cases where Danish authorities appear to be more pragmatic than the word of the convention and the ILO guidelines, there may be reasons for enhanced efforts to “practice what one preaches”.

The chosen model consequently does not only consider the certification of the ship but also directions as to how the material can be brought into use at inspections.

III - “Get started”

In this chapter it is attempted to illustrate the task facing the shipowner in connection with MLC survey and certification and to convey one or more possible ways to go about it.

Certification - who, what, when and which elements

1. Who is responsible for the survey and certification:

The shipowner is responsible for the execution of the certification and for the ship's compliance with the convention at all times.

The shipowner can, besides the owner, be any person or organization, viz.:

- a managing owner
- a bare-boat charterer
- a technical or other manager

having assumed responsibility for the running of the ship and having thereby accepted all tasks and duties imposed on the shipowner by legislation (i.e. MLC-regulations), irrespective of any other organizations or persons taking care of some of the tasks and duties on the shipowner's behalf.

This definition of the shipowner is known from the ISM-code. Normally the ISM-responsible entity shall be the same person or organization responsible for MLC.

When it comes to MLC obligations the shipowner is ultimately responsible to all seafarers on board - also seafarers employed by a different employer.

The Danish Maritime Authorities (DMA) is fully responsible for inspection and certification of the relevant working or living conditions on ships flying its flag, regardless of the possibility that inspection and approval is delegated to a classification society.

2. What shall be surveyed and certified:

- Cargo and passenger ships above 500 GT in international trade.

3. What shall be surveyed and may be voluntarily certified

- Cargo and passenger ships below 500 GT in international trade
- Cargo and passenger ships irrespective of size in domestic trade
- Cargo ships with a length (L) below 15 m or with a dimension figure below 100 regardless of international or domestic trade. Common for commercial vessels of this category and for wooden ships of a primitive construction is, that they shall not be certified.

4. When must survey and certification happen:

When the convention comes into force, existing ships falling under the requirements must have their certification in place. The convention comes into force on 20 August 2013.

New ships must be certified before entering into service and a temporary certificate may be issued on delivery, valid for max. 6 months. The same applies when a ship changes its flag or its owner, responsible for the certification.

An intermediate inspection must be made between the 2nd and the 3rd year before the day of expiry of the existing certificate. The certificate is normally valid for 5 years. Renewal inspection is normally done up to 3 months for the expiry of the certificate.

Survey of ships not required to be certified, to be conducted at next ordinary existing survey. Subsequent surveys to be conducted at intervals not exceeding 3 years.

5. Which elements must be inspected:

Both the first inspection and subsequent renewal inspections must constitute a complete inspection of the working- and living conditions of the seafarers, including but not limited to inspection of minimum age, medical certificates, the seafarers' qualifications, contracts of employment, use of authorized / certified or regulating recruitment- or intermediary services, work and recreation hours, ship's manning, day rooms, recreational facilities on board, food and provisions, health and security measures as well as accident prevention, sick care, complaints procedure on board, and payment of wages.

The intermediate inspection shall ensure conformity with the above.

Points of action:

- INTERNAL DISTRIBUTION OF RESPONSIBILITIES AND TASKS
- CREATION OF TIME SCHEDULE

The MLC Manual

As mentioned in the preface, and stated in Regulation 5.2.1 quoted below the ship's MLC-certificate will be prima facie evidence of the ship's compliance with the convention, and in formulating the MLC Manual the work group has therefore given its main attention to the 14 points forming part of this certification. An example of an executed certificate with related statements of compliance has been added in section V.

Regulation 5.2.1. Each Member shall accept the maritime labour certificate and the declaration of maritime labour compliance required under Regulation 5.1.3 as prima facie evidence of compliance with the requirements of this Convention (including seafarers' rights). Accordingly, the inspection in its ports shall, except in the circumstances specified in the Code, be limited to a review of the certificate and declaration.

Each of the 14 points is treated separately in the MLC Manual, and each point is built on 6 elements, clearly separated from each other by different colour codes in the printed version:

- A repetition of the text belonging to the point as it will appear in the **DMLC Part I** (the requirements).
- Proposals for text in **DMLC Part I** (stating measures taken by the shipowner to comply with the requirements).
- ISF proposals for / example of document execution of **DMLC Part II**.
- Reference to relevant **annex texts** (specifying more precisely how the shipowner complies with the requirements).
- Proposals for **instruction to the Master** or standing order, specifying the Master's - or that a person designated by him - special role in relation to the point.
- **Comments** and guidelines, inspired inter alia by the views exchanged by the respective work groups in relation to the point.

The DMA has laid down the contents of **DMLC Part I** which explain where and how the requirements of the convention have been implemented in the Danish rules. Although it must be expected that the MLC inspection will first and foremost focus on the set of rules reflected in DMLC Part I, it can of course not be ignored that it is the actual wording of the more detailed legislative texts, circulars or announcements, being referred to, that the shipowners must generally comply with.

The contents of **DMLC Part II** are proposals for describing what overall measures the shipowner has taken to comply with the applicable rules and regulations as outlined in DMLC Part I. In the **annex texts**, these are extended with proposals as to how measures can be carried out specifically. There is no doubt that there is an obligation to illustrate measures taken, but if these measures are detailed in DMLC Part II, the option to make changes hereto cease to exist once the certificate has been issued. Such changes can, however, still be made if, as suggested here, a closer description of the measures taken is made in the annexes, to which reference is made.

The text of DMLC Part II and the contents of the suggested annexes are rooted in what is already common practice with many shipowners today, supplemented and extended with new initiatives following from the implementation of Danish rules as changed by the MLC. In many areas it is appropriate to say that industry-related standards already exist and that they have now been put to paper in connection with the Manual. Many shipowners, therefore, will easily recognize the contents of the annexes and, if so desired, will easily adapt to them if they do not already do so.

International Shipping Federation (ISF) has recently updated its MLC Guide (Guidelines on the Application of the ILO MLC) and the 2nd edition is now available. It contains, among other things, an example of how the text of DMLC Part II could be worded. Apart from a few differences, there is considerable coincidence in the approaches taken in the ISF Guide and the MLC Manual, respectively. For that reason we have chosen to include the text from the ISF Guide as an example of alternative ways to do it, even though this text is

not in total conformity with the Danish rules and regulations but rather aims at the text of the convention.

As previously mentioned, most shipowners are already today to a great extent in compliance with the requirements of the convention, which is due to the fact that the requirements are already an incorporated part of the existing Danish rules. Compliance with these rules, however, has not been systematized in all shipowner organizations in such a way that it would stand up to an actual inspection. This is exactly where the MLC may prove to impose the biggest difference as far as Danish ships are concerned.

How to use this MLC Manual

There are many ways for a shipowner to go about the task of obtaining his MLC certificate. The purpose of this MLC Manual is not to account for all of these ways but rather to demonstrate a simple way. - A solution which will live up to the requirements and represent a relatively simple and smooth solution for those opting to use it, without burdening the shipowners and crews more than necessary. For the shipowners opting to use another solution, the MLC Manual may be used simply as an expression of the working groups understanding of the requirements and what it takes to fulfil them.

The solution suggested in the MLC Guide is based partly on a systematized approach to the 14 points forming part of the MLC and partly on consideration for the method deemed to come closest to the realities of shipowners' daily life.

If the shipowner considers that the text of the proposals for DMLC Part II corresponds to his existing practice or to his intentions, then the text can be written directly into the document of compliance prepared by the shipowner, DMLC Part II. Alternatively, it will be necessary to modify the text to reflect the shipowners steps or to formulate and insert a text entirely of his own design. Once it has been decided **what** steps are to be taken in order to live up to each of the requirements it will be necessary to get it clear **how** these steps will be taken. While there seems to be great concurrence among the shipowners in **what** is being done, there is quite naturally a tendency towards greater variance in **how** they take their steps.

Such variances are also reflected in the wording and the volume of the annexes sponsored by the individual members of the working group, some of which appearing to be shaped quite simple while others seems to be more complex.

Consequently, the MLC Manual does not necessarily offer only one suggestion for each of the 14 points, but in some cases several suggestions for **annex texts**, containing examples of how the shipowner can take the measures which he has indicated in DMLC II that he will take. These texts, suggestions and examples have been named "procedures" as a common denominator but are in reality just a description of measures taken and should not, therefore, be confounded with e.g. ISM procedures.

In the printed version of the MLC Manual the annexes have been organized in the section called "collection of data". In the electronic version the annexes appear as text or web links.

As regards the annex texts it is particularly important that the shipowner - possibly using gap-analyses - actively evaluates and decides if and to what extent the text is a reflection of his own action leading to fulfilment of each requirement. It must be expected that a certain adaptation will be necessary, because the description must reflect reality as it actually looks.

Lack of correspondence between what the shipowner says that he will do and what an inspection reveals that he actually does, should of course be avoided.

The individual shipowners are then, over and above the task of illustrating **what** and **how** the requirements are met, left with the exercise of communicating this to everybody involved in the process and ensuring that they act and perform accordingly. Especially for the benefit of the Master and his key function in connection with the inspection on board and in port state controls, a standing order, in the shape of a short instruction to the Master, has been formulated for each of the 14 points.

There are no special demands regarding the form of the description or how to live up to the requirements but there is a number of good reasons for currently keeping record of the whereabouts of the descriptions, and possibly keeping them together, so that they can be easily produced in connection with an inspection or for other reasons. As an illustration, an index for the collection of such data has been included in section VI.

Points of action

- AGREE/DISAGREE IN DMLC PART II
- ADAPT PROCEDURES
- COLLECT DOCUMENTS
- IMPLEMENT

IV – Presentation and review of the 14 points, one by one

1. Minimum age (Regulation 1.1)

Declaration of Maritime Labour Compliance Part I

Act on seafarers' conditions of employment, etc., section 4, Minimum age provisions

- The minimum age required of seafarers working on Danish ships is the one stipulated in the MLC, i.e. 16 years. For the protection of seafarers between the age of 16 and 18 years, special regulations have been laid down on hours of rest, night work, etc., that are mentioned below.

Act on the manning of ships, section 8, Ship's cooks

- Ship's cooks prescribed in the ship's minimum safe manning document must not be below the age of 18.

Order on seafarers' hours of rest

Regulations on prohibition against night work, etc. for young persons below the age of 18

- A seafarer below the age of 18 must have at least a 12-hour period of rest during a 24-hour working day. A seafarer below the age of 18 must not work during the period from 20.00 to 06.00 hours, and this period determines the concept of a night. However, the master can require that seafarers below the age of 18 work when it is necessary in consideration of the immediate safety of the ship, those on board or the cargo or to assist other ships or persons in distress at sea.
- For watchkeeping seafarers below the age of 18, the 12-hour period of rest can be divided into a maximum of two periods, one of which must have a duration of at least 8 hours and fall between 20.00 and 06.00 hours.
- However, the prohibition against night work does not apply if any other placement is necessary as part of a vocational training programme, a maritime training programme approved by the Danish Maritime Authority or similar training of at least 2 years' duration leading to professional qualification.

Notice A from the Danish Maritime Authority, chapter I, part B, Young people's work on board ships

- Seafarers below the age of 18 must not carry out work that is harmful to health. Chapter I, part B, describes work that is considered harmful to young seafarers' health. This includes, for example, work using certain technical equipment.
- Young seafarers must not be exposed to noise or vibrations that may present a risk to their health. In addition, work is prohibited in for example surroundings that, due to extremely high or extremely low temperatures, may present a risk to the safety of young seafarers, just as young seafarers must not work with or in any other way be exposed to the effects of harmful substances and materials.
- A seafarer below the age of 18 can, however, carry out certain types of risky work to the extent that it is necessary to complete certain types of training. As regards work after the completion of the training programme, the same exemptions apply to the extent that they are necessary for the young person's employment and on the condition that he or she is still below the age of 18.

Declaration of Maritime Labour Compliance Part II (DSA)
The shipowner checks the seafarer's age by means of official papers of identification and will not employ anybody under the age of 16 for duty on board. The Master takes care that seafarers under the age of 18 are not made to carry out work assumed to be detrimental to the health of youths, and that youths are not exposed to noise or vibrations that may be detrimental to their health. The special rest hour regulations for seafarers under the age of 18 must be observed. To the extent that educational considerations for seafarers under the age of 18 call for their engagement in risky but lawful duties, special precautions must be taken to take the inherent risks into account.
Declaration of Maritime Labour Compliance Part II (ISF)
A list of any seafarers under the age of 18 is provided by the Company and maintained as part of the Safety Management System (SMS). A comment concerning the age of any such seafarers is entered into the ISF Watchkeeper work/rest hour software used on board the ship. In accordance with standing orders, upon arrival on board, the Master or designated officer checks the passport and/or Seafarer's Identity Document of seafarers to confirm that no person working on board is below the age of 16 and that any seafarers under 18 years old are identified. Standing orders prohibit seafarers below the age of 18 from work that may jeopardise their safety or health and night work (as defined by national regulation) except during an emergency or, with respect to night work, as part of their professional development, in which case such work is recorded with a comment on the seafarer's work/rest hour record (which is signed by the seafarer) as well as being recorded in the ship's log. Any questions that arise concerning the age of seafarers are communicated to the Designated Person Ashore (DPA).
Annexes
Manning Procedure Instructions to the Master (standing orders) Young people aged under 18 employed to work on board
Instructions to the Master
In connection with signing on (the manning procedure) the Master will check that the seafarer is at least 18 years old or at least 16 years old if he is employed in an educational position. Educational positions are defined as employment in positions for which the DMA has issued requirements to the effect that the practical part of the education follows an approved book of education. The restrictions applying to seafarers under the age of 18 and dealing with the types of work that is permitted, at which times the work may take place and under what conditions it may be carried out, must be considered in the planning and execution of the work delegated to the young seafarer.
Comments
The point (minimum age) is the one first covered by the rather comprehensive suggestions for manning procedures, and is therefore introduced under this point. The manning procedure is available in both an A and an M version, depending on whether the point of departure is primarily an electronic or a manual personnel system. The procedure departs from the obviously rather common working procedures surrounding the recruitment and deployment of seafarers with many shipowners. The working procedure is based on a relatively clear distribution of tasks and responsibilities

between the respective players, where the various tasks, depending on the size of the company, can be shared out between varying numbers of persons. The composition of the procedure resembles a check list, and the fulfilment of the individual points is best documented by a lack of examples on board the ship deviating from the text of the procedure in connection with inspections. The procedure assumes that the shipowners choose the obvious solutions but is far from adequate for shipowners wanting for instance to use recruitment- and intermediary services in non-ratifying countries.

The age of the seafarer, documented by CPR-number or birthday, as stated in official identification papers, shall be determined by the shipowner at the time of employment and by the Master at the time of signing on. It must already at this stage be verified that no seafarers under the age of 16 are employed and that no seafarers under the age of 18 are employed in positions involving preparation of foodstuff on board. The number of employees under 18 in Danish ships is very limited, and consequently, there is supposedly no need for record-keeping of such seafarers in the shipowner's SMS lists. The restrictions laid down for youths under 18 do basically apply to all seafarers under 18, with specific exceptions necessitated with regard to education. In the collection of data a procedure has been inserted, in which the Master may find useful support in connection with protection of seafarers under the age of 18. It also talks about the special measures that should be taken when youths, for reasons of their education, are deployed in areas of work, which they are normally restricted from doing because of their age. Especially when such work is directly mentioned in the seafarer's book of education, it must be beyond doubt that his participation in it is a prerequisite for his education.

2. Medical certification (Regulation 1.2)

Declaration of Maritime Labour Compliance Part I

Order on medical examinations of seafarers and fishermen

- In order to work on board a ship, seafarers must hold a valid health certificate documenting that the seafarer has been found fit for ship service, if relevant with certain limitations, through the special medical examination of seafarers.
- The form and contents of the certificate is determined by the Danish Maritime Authority and it is in both Danish and English.
- In Denmark, medical examinations must be carried out only by maritime medical practitioners appointed by the Danish Maritime Authority who have been assigned a special maritime medical practitioner's number. An overview of maritime medical practitioners is available from the webpage of the Danish Maritime Authority (www.dma.dk). Outside Denmark, the medical examination can be carried out by medical practitioners approved in the relevant country to carry out national medical examinations of seafarers.
- The maritime medical practitioner uses the digital medical certificate prescribed by the Danish Maritime Authority laying down, inter alia, the scope of the medical examination and whether the seafarer is fit for lookout duty. If the examination is carried out outside Denmark, the English paper version of the medical certificate is used with the associated guidelines containing information about when a seafarer's diseases and defects result in unfitness for ship service, limitations in the period of validity, the work area on board or the trade area. The medical certificate is available from the webpage of the Danish Maritime Authority (www.dma.dk) and can be downloaded. Other medical certificates must not be used for medical examinations outside Denmark unless otherwise provided by the Danish Maritime Authority's webpage (www.dma.dk).
- The maritime medical practitioner issues or endorses the seafarer's health certificate as regards the result of the medical examination and whether the examination of the seafarer's sight and hearing makes him or her fit for lookout duty. In this connection, the maritime medical practitioner states his name and address and stamps the certificate with the assigned maritime medical practitioner's number. In connection with medical examinations outside Denmark, this is done by the master stating the examining medical practitioner's name and address as well as the master's name and the ship's name. The Danish Maritime Authority can also issue a health certificate to a seafarer or endorse it.
- For seafarers of 18 years of age or older, the medical examination and thus also the health certificate has a validity of 2 years, calculated from the date of the examination, whereas the medical examination for seafarers below the age of 18 has a validity of 1 year. However, the examining medical practitioner can limit the medical examination and thus also the period of validity of the health certificate. If the period of validity of the health certificate expires during a ship's voyage, the certificate remains valid until its first call at a port where it is possible to carry out the examination without unnecessary delay, however no more than 3 months from the date of expiry.
- When the seafarer signs on, he or she must hand over the health certificate to the master who must keep it for as long as the seafarer serves on board.

- Complaints

The decision by the maritime medical practitioner or by the foreign medical practitioner that a seafarer is unfit for ship service or fit with limitations and the subsequent endorsement of the health certificate can in writing be brought before the special Danish Shipping Tribunal, which has inter alia maritime medical knowledge. The Danish Shipping Tribunal is a Danish independent public authority. As regards complaints about decisions about the importance of a seafarer's sight and hearing for the work on board, the Danish Maritime Authority is the complaint authority.

Declaration of Maritime Labour Compliance Part II (DSA)

The shipowner will check that the seafarer is in possession of a valid health certificate at the commencement of service. The Master will take steps to deal with possible limitations and ensure that the seafarer undergoes a new medical examination as soon as the health certificate expires during service. The Master will inform the shipowner in the event that the seafarer is not capable of carrying out his duties.

Declaration of Maritime Labour Compliance Part II (ISF)

Upon arrival on board, the Master or designated officer checks the validity of the seafarers' medical certificates and, where relevant, colour blindness certificates. The SMS establishes the criteria for checking the validity of medical certificates, and procedures with respect to certificates that may become out of date during the voyage. Any questions that arise concerning the validity of medical certificates or the fitness of seafarers are communicated to the Designated Person Ashore (DPA). In the event that during the voyage new medical certificates are issued following an examination by a qualified medical examiner or become out of date, this is recorded in the SMS.

Annexes

[Manning Procedure](#)

[Instructions to the Master \(standing orders\)](#)

[Health Certificate for Seafarers and Fishermen](#)

[Medical Certificate for Examination of Seafarers](#)

[Guidelines for Medical Practitioners on Medical Certificates](#)

Instructions to the Master

As part of signing on control (cf. the manning procedure) the Master will take care that the seafarer is in possession of a valid health certificate. In the event that the seafarer is not, but can produce a Danish medical examination for seafarers performed abroad, the Master will issue a health certificate to the seafarer and enter the result of the medical examination the health certificate. After the issuance of the health certificate the medical examination shall be confidentially sent to the DMA. If the seafarer can neither produce a valid certificate of health nor a Danish medical examination for seafarers performed abroad, the Master will arrange such an examination before the ship's departure. The Master will take care that possible limitations in trading area are observed and that possible limitations of suitability stated in the health certificate are made known to the seafarer's day-to-day head.

Comments

In the manning procedure it is assumed that the seafarer is in possession of a valid Danish health certificate in the shape of the “blue book” or - as a minimum - has undergone a Danish medical examination for seafarers abroad, performed by a doctor, who is authorized to perform medical examinations of his country’s own seafarers. In the instruction to the Master, as far as medical certificates are concerned, it has been stated what the Master is expected to do to fulfil the requirement, as well as suggestions for observing possible limitations. It should be ensured that there is a supply of health certificates, “blue books” available on board, which the Master can endorse and issue.

3. Qualifications of seafarers (Regulation 1.3)

Declaration of Maritime Labour Compliance Part I
<p>Act on the manning of ships and act on the maritime training programmes</p> <ul style="list-style-type: none"> Requirements for seafarers' qualifications are primarily regulated through the act on the manning of ships and the act on the maritime training programmes. A number of regulations have been issued pursuant to the two acts mentioned above, and those regulations fully consider the requirements of regulation 1.3. Denmark ratified the STCW Convention in 1981. Thus, ship's officers holding both Danish and foreign certificates of competency are certified in accordance with the STCW Convention, as amended. Similarly, other seafarers must be instructed about personal safety in accordance with the STCW Convention before the service is started on board.
Declaration of Maritime Labour Compliance Part II (DSA)
<p>The shipowner will take care, at the commencement of service, that the seafarer is in possession of the qualifications and certificate required by the ship's safe manning certificate and that their time of expiry is sufficiently far advanced. Any questions concerning the validity of STCW certificates or other qualifications are communicated to the shipowner. In accordance with standing orders, personal safety familiarization and ship specific familiarization are given to each seafarer upon joining the ship and before commencing their duties.</p>
Declaration of Maritime Labour Compliance Part II (ISF)
<p>The Company advises the Master of seafarers joining ship, stating their qualifications, including any seafarers providing medical care on board and ship's cooks or catering personnel. As part of its SMS, the Company has procedures for checking the validity of appropriate certificates and/or dispensations as required by the STCW Convention, as well as the qualifications of seafarers providing medical care on board and of ship's cooks or catering personnel. In accordance with standing orders, upon arrival on board, the Master or designated officer checks that all seafarers hold valid and original STCW certificates and appropriate endorsements, including flag state recognition endorsements, and that these correspond with the capacity in which the seafarer is employed as described in the ship's Safe Manning Document. Any questions concerning the validity of STCW certificates or other qualifications are communicated to the Designated Person Ashore (DPA). In accordance with standing orders, personal safety familiarization and ship specific familiarization are given to each seafarer upon joining the ship and before commencing their duties by the designated on board training officer. This is recorded in the seafarer's Personal Training and Service Record Book and in the on board record of training that forms part of the SMS.</p>
Annexes
<p>Manning Procedure Instructions to the Master (standing orders) Qualification Matrix Qualifications - Catering Staff Procedure concerning introduction on board Familiarization - Checklist</p>

Instructions to the Master

The Master will take care, at the time of signing on (the manning procedure) that the seafarer has certificates necessary to hold the position and that he can produce valid original certificates to that effect. To get an overview of the requirements in force regarding the crew and the individuals composing it, the Master should preferably mark the requirements following from the ship's safe manning certificate, as well as other requirements to be observed, in a matrix of qualifications, which may henceforth serve as a check list.

In the matrix, distinction should be made between job requirements, that is requirements for the filling of a specific and typical position as prescribed in the safe manning certificate (e.g. Certificate of Competence), and function requirements, that is requirements calling for the existence on board of qualifications of a specific nature (e.g. Fast Rescue Boat), not necessarily calling for this qualification to be linked to a specific person or position on board. If the function requirements are fulfilled by another position than the one filling it according to the matrix it may be necessary to alter the distribution of functions and/or the muster roll on board. It falls upon the Master to take care of making such alterations.

Comments

In the event that the shipowner has stipulated additional qualification requirements for the prescribed crew or requirements for surplus seafarers, including seafarers employed by others than the shipowner, such requirements may be incorporated in the matrix of qualifications. The requirements of the matrix can be either programmed in the personnel system, so that it will not be possible to employ an unqualified seafarer in a given position, or the relevant control can be made manually. In regard to actual uncertainty about the validity of certificates, a text as suggested by ISF could be incorporated. As regards the duty to instruct new on-signers, this should be amply described in the ship's ISM procedure. In the collection of data an example of this, accompanied by a check list, has been copied.

4. Seafarers' employment agreements (Regulation 2.1)

Declaration of Maritime Labour Compliance Part I

Order on the shipowner's obligation to conclude a written contract with the seafarer about the conditions of employment

- A written employment contract must be concluded between the seafarer and the shipowner or the employer or the one who has assumed the responsibilities of the shipowner or the employer. The contract must be concluded no later than at the start of the employment; and for ship-employed seafarers no later than at the start of the service on board. The seafarer must have a chance of going through the employment contract and seeking advice about its terms before signing it.

Contents of the employment contract

- The seafarer must receive a copy of the employment contract signed by the shipowner/employer or the one who has assumed the responsibilities of the shipowner or the employer. There is no requirement for a special form of the seafarer's employment contract.
- The employment contract must contain information about all conditions of importance to the employment as they are stipulated in the order which is available in English from the webpage of the Danish Maritime Authority (www.dma.dk). When the seafarer or the employer terminates the employment, the date hereof as well as how the employment has been terminated must be given in writing.
- As regards some of the information about the employment, the shipowner's information obligation is considered met if the employment contract refers to acts, administrative provisions or collective agreements pertaining to the relevant conditions.
- If a collective agreement constitutes the entire or parts of the seafarer's employment contract, the shipowner must ensure that a copy of this collective agreement is available on board. As regards ships engaged on international voyages, only the parts of or the collective agreements subject to port State control inspections must be available in English.

A copy of the employment contract must be available on board

- The seafarer must bring along or, before the ship's departure, procure a copy of the employment agreement for the master, who must keep it on board for as long as the employee serves on board. The seafarer's signature must be evident from the copy when it is handed over on board. As regards ships engaged on international voyages, an English copy of any standard form used must also be available on board.

Act on seafarers' conditions of employment, etc., section 74

- The master must ensure that a copy of the act and the provisions issued pursuant hereof is available on board in Danish and English and is available to the seafarers.

Order on the reporting of the signing on and signing off of seafarers to the Danish Maritime Authority and on discharge books

- A seafarer who is a Danish citizen must, when signing on, hold a Danish discharge book. However, this is the case only when he or she signs on in a position covered by the ship's minimum safe manning document. The master of the ship must in connection with the signing on and signing off of seafarers fill in and sign the seafarer's Danish discharge book.

- As regards other Danish seafarers and foreign seafarers, the master must upon request confirm the employment by endorsing the relevant person's discharge book or in some other way, for example through a special statement.
- A filled in discharge book or a written statement from the master is considered sufficient recording of the seafarer's employment to meet the provision of Standard A2.1, paragraph 1e.

Act on seafarers' conditions of employment, etc., sections 5, 37, 47, etc., Provisions on notice of termination and resignation/dismissal

Notice of termination

- Able-bodied seafarers must be given or give 7 days' notice unless otherwise agreed by contract or by collective agreement. The seafarer can have a shorter notice than the shipowner, but not the other way around.
- Ship's officers must in general be given or give 3 months' notice if the officer is engaged through an open-ended contract. However, the shipowner's notice cannot be less than 1 month during the first year. If the officer is engaged on a time contract, the notice will typically be shorter and in general either 1 month or 7 days. Just as is the case for able-bodied seafarers, shorter notice cannot be agreed for the shipowner than for the officer.

Resignation/dismissal (unilateral termination of the contract without notice before the expiry of the employment period)

- **By the seafarer**
The act contains a number of provisions entitling the seafarer to terminate the contract without notice (resignation). For example in cases where the ship is unseaworthy, is to call at a port with a virulent epidemic or no longer flies the Danish flag. In each individual case, certain conditions must be met that are described in more detail in the individual provisions of the act. Thus, the regulation of Standard A.2.1, paragraph 6, is met.
- **By the shipowner**
Furthermore, the act contains provisions entitling the shipowner/master to terminate the seafarer's employment without notice in case of, for example, incompetence, missing the ship, gross neglect by the seafarer, repeated disobedience, violent behaviour or drunkenness on board, etc. Thus, the regulation in Standard A.2.1, paragraph 6, is met.
- Special regulations apply to the master meeting the requirements of Standard A.2.1, paragraph 6.

Declaration of Maritime Labour Compliance Part II (DSA)

The shipowner will take care, before commencement of service, that a written contract of employment fulfilling the requirements for contents has been entered into, and that the contract of employment and the documents and references therein referred to will be available on board, and that the contract is supplemented by English translations of standard contracts and terms used if that is deemed necessary. On signing off the seafarer, the shipowner will certify the employment by completing his seaman's book or, on request, a certificate of service in cases where a seaman's book is not prescribed.

Declaration of Maritime Labour Compliance Part II (ISF)
<p>Prior to joining the ship, the Company or its manning agencies issue each seafarer with a signed copy of the Seafarers' Employment Agreement (SEA), compliant with national regulations. Signed copies of the SEA are kept with the SMS documentation on board. Some seafarers on board the ship may be covered by Collective Bargaining Agreements. Prior to joining the ship, the Company or its manning agencies issue each seafarer with a signed copy of the CBA, compliant with national regulations. Copies are kept with the SMS documentation on board. The Company has a procedure for ensuring that the provisions of any applicable CBA conform to the relevant SEA, details of which are kept with the SMS. Each crew member has a Personal Training and Service Record Book to provide proof of employment on board the ship.</p>
Annexes
<p>Manning Procedure Instructions to the Master (standing orders) Collective Bargaining Agreements (CBA's) referred to in the Employment Contracts Explanatory extracts of Danish Standard Deep Sea CBA's Employee Information Record of Employment Agreement between seafarer and owner/master</p>
Instructions to the Master
<p>At the time of signing on (the manning procedure) the Master will check that the seafarer has entered into and brings along a contract of employment signed by the shipowner (or employer) as well as the seafarer himself. The Master will check that collective agreements, which may be referred to in the contract, are readily available and will also see to it, possibly in consultation with the shipowner, that actual deficiencies in the contract will be rectified. The Master will check that the seafarer has received or will receive the information pertaining to seafarers' working conditions which it is deemed relevant to give at the time of commencement of the employment. During the time of service on board the contract of employment shall be in the Master's custody. Notice of the time and place of termination of employment must be given in writing. At the end of service the Master will attest the service in the seafarer's seaman's book or, in lack of same or on request he will issue a certificate of service.</p>
Comments
<p>The point, which can be an administrative burden to comply with but which at the same time is relatively easy to inspect, is expected to receive a great deal of attention. Consequently, it is highly recommendable that the shipowner's handling of contracts of employment is closely investigated and put into a good framework. It follows from the section in the manning procedure concerning first time engagements and new employments that the person in charge must take care that a written contract has been established with the seafarer. A standard contract of employment living up to the minimum requirements of the order forms part of the collection of data (Agreement/Crew list). If the shipowner uses a contract language other than English, then written translations into English of the standard contracts in use must be available on board. The document named "MLC information" copied to the collection of data is not only aimed at the point "seafarers' contracts of employment" but is also a kind of "assembly document".</p>

It has been drafted with the seafarer in mind but it addresses both the seafarer and the shipowner in view of the fact that what is a right for the one party is often a liability for the other. If the shipowner's liabilities, for instance that a copy of the law on seafarers' terms of employment must be available on board, is assured in an alternative manner, it may be omitted in the "MLC information". By issuing the "MLC information" as an appendix to the contract of employment the shipowner will meet the requirement of point 14, saying that all seafarers must be issued with a copy of the complaints procedure on board in addition to their contract of employment. The English explanation of the standard terms in Danish collective agreements, which has been copied to the collection of data, is considered a better way of giving the parties involved the necessary insight and understanding of the terms than an actual translation of the collective agreements. Consequently, translation of collective agreements is considered redundant in cases where the explanation covers the need. The relevant editions of the collective agreements entered into by the Shipowners' Associations can either be handed out to the seafarer or be accessed via the member area of www.shipowners.dk and distributed electronically to the seafarers and the ships. In the cases where seafarers employed and engaged by other employers are working on board the ships, it falls on the shipowner to take care that such employers comply with the requirements falling on them pursuant to the shipowner's manning procedure, so that such seafarers are not rejected by the Master for lack of a valid Danish medical certificate and/or contract of employment.

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

Declaration of Maritime Labour Compliance Part I
<p>Act on seafarers' conditions of employment, etc., sections 8a-8e, Provisions on the recruiting and placing of seafarers and order on the activities of private recruitment and placement services in Denmark</p> <ul style="list-style-type: none"> • Private recruitment and placement services for seafarers, the primary purpose of which is to recruit or place seafarers or which recruit or place a considerable number of seafarers must be operated in Denmark only if they are certified for this purpose by the Danish Maritime Authority. • Shipowners using such Danish private recruitment and placement services must ensure that the relevant services hold a valid certificate issued by the Danish Maritime Authority. The certificate is normally valid for 5 years. • Shipowners using private recruitment and placement services for seafarers in countries that have ratified the MLC or ILO Convention no. 179 on the recruitment and placement of seafarers (1996) must ensure that the relevant services hold a certificate or a licence documenting that they are operated in accordance with the requirements of the relevant convention. • If the relevant country does not issue such certificates or licences to private recruitment or placement services, the shipowners must procure any other type of official confirmation that the relevant services are operated in accordance with the requirements of one of the conventions mentioned above. • Shipowners using private recruitment and placement services for seafarers in countries that have not ratified the MLC or ILO Convention no. 179 must be able to document that the relevant services meet the requirements for recruitment and placement services stipulated in the relevant conventions. • The Danish Maritime Authority can approve a shipowner's use of a private recruitment and placement service for seafarers in a country that has not ratified the MLC or ILO Convention no. 179. The approval is granted for a limited period of time that is normally 5 years.
Declaration of Maritime Labour Compliance Part II (DSA)
<p>The shipowner will take care that private recruitment and placement services that he uses can verify that they operate in accordance with the requirements for such activities as stipulated in international conventions.</p>
Declaration of Maritime Labour Compliance Part II (ISF)
<p>Ships officers are recruited and employed directly by the Company. Manning agencies used by the Company to provide ratings and cooks are licensed by the competent authority in the nations concerned. Where relevant, documentary evidence including evidence of inspections by the flag state, RO or the Company to confirm that manning agencies in nations not party to the MLC or which have not been licensed by the competent authority are in compliance with the Convention, are kept with the on board SMS documentation. Arrangements for ensuring that seafarers are protected against monetary loss as a result of any failure by manning agencies are contained in the Seafarers' Employment Agreement and/or Collective Bargaining Agreement, kept with the</p>

SMS documentation on board.
Annexes
Manning Procedure Instructions to the Master (standing orders) Procedure for audits of Manning Agencies
Instructions to the Master
<p>The Master's tasks in relation to crewing appear from the shipowner's manning procedure. Unless the Master in each individual case of employment via private recruitment and placement services is advised to the contrary, the shipowner, , shall vouch for such services being domiciled in a country having ratified the MLC and being duly certified. If the shipowner uses private recruitment and placement services in countries that have not ratified the MLC or ILO Convention 179, the shipowner can certify that such services meet the requirements of said conventions. In case of need, the Master can obtain information from the shipowner certifying that such a service meets the requirements of said conventions or has been approved by the DMA.</p>
Comments
<p>The Master should be familiar with the mode of operation of private recruitment and placement services used by the shipowner and the shipowners control of this, for instance by possessing copies of the inspections performed by the shipowner and/or documentation in the shape of a certificate verifying the service's compliance with the conventions. In the collection of data an example has been copied of an ISM procedure for audit of private recruitment and placement services.</p>

6. Hours of work or rest (Regulation 2.3)

Declaration of Maritime Labour Compliance Part I

The MLC and EU law make it possible to choose between regulating seafarers' hours of work or their hours of rest. Denmark has chosen solely to regulate seafarers' hours of rest.

Order on seafarers' hours of rest

Hours of rest per 24 hours and per week

- The seafarer must have at least 10 hours of rest during a 24-hour working day, at least 6 hours of which must be consecutive. The 10 hours must be divided into a maximum of two periods of rest, and there must be a maximum of 14 hours between the periods of rest. Absence from work counts as rest only if it has a duration of at least 1 hour. A seafarer's total hours of rest in a week must amount to at least 77 hours. All periods of rest are included.
- A working day is a 24-hour period commencing the first time the seafarer starts to work during a calendar day. A week is a consecutive period of 7 days. The Danish Maritime Authority can permit that the daily and weekly hours of rest are calculated within the calendar day (00.00-24.00 hours). A copy of the permit must be available on board.

Exemptions in case of recorded collective agreements

- Watchkeeping seafarers or seafarers working on ships engaged on short voyages (such as ferry crossings) can be entitled to shorter periods of rest. However, this presupposes that a collective agreement has been concluded providing compensation in the form of more spare-time, compensation time or the like. The agreement must also take appropriate account of the seafarer's health and safety. The special collective agreement must not be used until it has been recorded by the Danish Maritime Authority. The recorded agreement must be available on board.

Exemptions in special cases

- Seafarers on call must have a compensating period of rest if the normal period of rest is interrupted due to work and if such interruption without compensation of the employee means that the requirement for the rest hours of the 24-hour working day cannot be met.
- Employees on call must have total hours of rest during the 24-hour working day of at least 10 hours. One of the periods of rest must amount to at least 6 hours.
- Musters, fire and rescue drills and other prescribed drills must be carried out so that they interfere as little as possible with the seafarers' periods of rest and do not lead to fatigue. The total hours of rest during a 24-hour working day for a seafarer, irrespective of interruption, must be of at least 10 hours. . One of the periods of rest must amount to at least 6 hours.
- Exemptions can be granted from the provisions on hours of rest in unforeseen emergencies, for example when it is necessary for the immediate safety of the ship, those on board or the cargo or to assist other ships or persons in distress at sea. The decision is made by the master and, as soon as it is practicable, he or she must make sure that the seafarer has a sufficient period of rest.

Posters and recording of hours of rest

- In an easily accessible place on board, a record must be posted with information about each function on board and about the employees' periods of work at sea and

in port, including watchkeeping periods for watchkeeping employees. The seafarer's periods of rest must be recorded on a special rest hour form on an on-going basis. The Danish Maritime Authority has issued forms of watchkeeping and rest hours in a standardised format. The forms are available as annexes to the order on hours of rest. If a shipping company wants another format, this must be approved by the Danish Maritime Authority. The rest hour form must be kept in duplicate.

- The master or a person authorised by him and the seafarer must sign the hours of rest form every month. At suitable intervals and when the service on board terminates, the seafarer must receive a signed copy of the rest hour form. The ship's copy must be kept on board for 6 months after the termination of the ship service.
- The Danish Maritime Authority can permit that seafarers' rest hour data are recorded and kept electronically on board. A copy of the Danish Maritime Authority's approval must be available on board.

Declaration of Maritime Labour Compliance Part II (DSA)

The shipowner will take care that the work hours are planned and the duties performed in such a way that the seafarer will get adequate rest. The shipowner will see to it that the seafarer's rest hours are continuously recorded and monitored and that necessary precautions are taken to prevent violation of the rules concerning rest hours. The official schedule or table of work/rest hours at sea and in port is posted on the noticeboard outside the ship's office. In the event that the schedule is suspended due to emergencies this is recorded in the ship's official log, with a comment included in the seafarer's work/rest hour record.

Declaration of Maritime Labour Compliance Part II (ISF)

The official schedule or table of work/rest hours at sea and in port is posted on the noticeboard outside the ship's office. In the event that the schedule is suspended due to emergencies this is recorded in the ship's official log, with a comment included with the seafarers' work/rest hour record. The hours of work/rest are recorded on board and checked for compliance with ILO and STCW requirements using the ISF Watchkeeper program, which forms part of the on board SMS documentation. In accordance with standing orders, the Master, Chief Engineer or designated officers conduct advance checks of planned work/rest hours using the ISF Watchkeeper program, in order to avoid the possibility of non-compliance. The ship is permitted by the flag state to use the STCW 2010 'Manila exceptions'. In accordance with standing orders, copies of individual seafarers' work/rest hour records are given to all seafarers on board, and checked and signed by each seafarer at least once a month. The Master or designated officer examines the work/rest hour records to ensure compliance, and any concerns about compliance are reported to the DPA using ISF Watchkeeper Online.

Annexes

[Manning Procedure](#)
[Instructions to the Master \(standing orders\)](#)
[Rest Periods](#)

Instructions to the Master

It is the responsibility of the Master to see to it that the work hours are planned and the duties performed in such a way that the seafarer will get adequate rest. The Master takes

care that the prescribed duty rosters are prepared and displayed at an easily accessible location on board. He furthermore takes care that a continuous recording of rest hours takes place and will react on possible violation of the rules concerning rest hours. In the event that it is impossible to plan the work in compliance with rest hours, the shipowner shall be contacted. The Master shall approve work assigned to seafarers under the age of 18 between 20.00 pm and 06.00 am. In cases where unplanned situations have necessitated a deviation from the rules concerning rest hours, this shall be recorded in the ship's official log. Unless a dispensation from the DMA can be produced, the Master or a person designated by him shall together with the seafarer sign the latter's rest hour record, to be kept in two copies, each month. One copy is handed to the seafarer and the other is kept in a binder, which is to be made for that purpose, separated into calendar months and stored on board. Copies of rest hour records shall be kept in the binder for six months. Records more than six months old are sent to the shipowner or kept on board. Rest hour records more than 18 months old may be discarded.

Comments

Rest hours have for many years been an area surrounded by requirements for special measures, for instance detailed registration. The biggest challenges regarding additional measures for safeguarding of seafarers' rest hours seem to involve situations where difficulties in adhering to the prescribed rest hours may be anticipated. In such situations it may be necessary to take special measures, for instance adjustments of the planned work pattern / the fixed duty roster or the ship's activity in general. Such special measures will often be contained/described in the shipowner's SMS, and an example of this has been copied in the collection of data.

7. Manning levels for the ship (Regulation 2.7)

Declaration of Maritime Labour Compliance Part I
<p>Act on the manning of ships</p> <p><u>Minimum safe manning document</u></p> <ul style="list-style-type: none"> • The act on the manning of ships prescribes that, on all ships, there must be a master and in addition the crew necessary in consideration of the safety of human lives at sea. • Passenger ships, irrespective of size, cargo ships with a gross tonnage of or above 20 and cargo ships with a gross tonnage below 20 engaged on international voyages must hold a certificate issued by the Danish Maritime Authority containing the minimum safe manning. It is issued in consideration of IMO resolution A.1047(27) on the manning of ships. • The minimum safe manning is established for each individual ship in consideration of the ship's type, arrangement, equipment, use and trade area so that the size and composition of the crew makes it possible to carry out all tasks of importance to the safety of the ship and those on board, including: <ul style="list-style-type: none"> • maintenance of a safe bridge and engine watch; • operation and maintenance of life-saving appliances; • operation and maintenance of damage control, fire-extinguishing and communication equipment; • other maintenance and cleaning of a safety-related nature; • mooring operations; • food and health conditions. • In addition, the following must be taken into consideration when determining the minimum safe manning: <ul style="list-style-type: none"> • the watchkeeping arrangements on board; • shift work; • the actual working hours of each individual crew member; • the provisions on rest hours in force; and • the use of general purpose crews. <p><u>Complaint</u></p> <ul style="list-style-type: none"> • During a period of 4 weeks from the issue of a minimum safe manning document, the shipping company or the seafarer organisations have a possibility of bringing a minimum safe manning document before the Danish Shipping Tribunal, which will take the final administrative decision on the composition of the crew.
Declaration of Maritime Labour Compliance Part II (DSA)
<p>The shipowner will take care that the ship's manning meets the requirements of the ship's safe manning certificate, quantitatively as well as qualitatively. If the ship's activity and the resulting work load should dictate it, the shipowner will see to it that the ship's manning is adjusted to the needs.</p>
Declaration of Maritime Labour Compliance Part II (ISF)
<p>The ship is manned in accordance with the requirements of the Safe Manning Document approved by the flag state, which is kept with the on board SMS documentation. Any questions about manning levels that might be identified from analysis of work hour</p>

records using the ISF Watchkeeper software are reported to the DPA.
Annexes
Manning Procedure Instructions to the Master (standing orders) Minimum Safe Manning Document Qualification Matrix
Instructions to the Master
At the time of signing on (the manning procedure) the Master checks that the seafarer has the qualifications necessary to hold the position and that he can produce valid original certificates to that effect. The Master shall in that connection see to it that the crew on board meets the requirements of the ship's safe manning certificate. To get an overview of the requirements in force regarding the crew and the individuals composing it, the Master should preferably mark the requirements following from the ship's safe manning certificate, as well as other requirements to be observed, in a matrix of qualifications, which may henceforth serve as a check list.
Comments
According to the manning procedure both the person responsible for manning and the Master are obligated to take care that the ship's safe manning certificate is adhered to. In the collection of data the safe manning certificate forming the basis of the matrix of qualifications has been copied. Besides, reference is made to point 3 concerning seafarers' qualifications.

8. Accommodation (Regulation 3.1)

Declaration of Maritime Labour Compliance Part I
<p>Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships</p> <p>Order on Notice D from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged in domestic voyages</p> <ul style="list-style-type: none"> <p><u>Accommodation</u></p> <p>Requirements for accommodation spaces are stipulated by chapter II-3 of Notice B and Notice D, respectively. Notice B applies to new cargo ships with a length (L) of or above 15 metres or with scantlings of or above 100 and to passenger ships engaged in international voyages. Notice D applies to all new passenger ships engaged in domestic voyages.</p> <p>The regulation contains provisions on the location, construction and arrangement of accommodation spaces, including standing height, insulation of accommodation spaces and materials, corridors, staircases and doors, exits, ventilation, air conditioning and heating as well as mosquito nets, lighting, the arrangement of cabins, including provisions on berths, floor area, fittings, provisions on dining rooms, galleys and storerooms, provisions on sanitary installations (toilets and bathrooms), special changing rooms, laundry facilities, offices as well as cleaning and inspection, etc.</p> <p>The requirements implementing this part, in which it is related to ship construction and equipment, apply only to ships the keel of which is laid or which are at a similar stage of construction on or after 20 August 2013, when the MLC enters into force. As regards ships constructed before this date, the requirements on ship construction and equipment stipulated in ILO Convention no. 92 on the accommodation of ship's crews (revised) as well as ILO Convention no. 133 on the accommodation of ships crews (supplementary provisions) will continue to apply if they applied before the relevant date according to law and practice. A ship must be considered to be constructed on the date when the ship's keel is laid or when it is at a similar stage of construction.</p> <p>Both ILO 92 and ILO 133 are fully implemented in Danish law. Thus, chapter II-3 issued in connection with the implementation of the MLC on accommodation spaces fully takes account of the requirements of the MLC, regulation 3.1.</p> <p><u>Exemptions and equivalentents</u></p> <ul style="list-style-type: none"> Any exemptions or equivalent solutions in relation to chapter II-3 must, however, be documented on board so that it is possible to verify compliance with the regulations during an inspection in a manner that is easy for the surveyor. No exemptions have been made in the Danish provisions. This is not possible within the framework of regulation 3.1.
Declaration of Maritime Labour Compliance Part II (DSA)
<p>The ship, including its accommodation and day rooms, has been built pursuant to the rules valid prior to 20 August 2013 and no changes to the construction of the accommodation have been made since then. In accordance with standing orders, regular inspections of the cleanliness and general condition of the accommodation are made, and if any deviations are noted they are entered in the ship's log or planned maintenance</p>

system, indicating also the remedial measures taken.
Declaration of Maritime Labour Compliance Part II (ISF)
The crew accommodation and equipment on this ship, whose keel was laid in June 2010, was constructed in accordance with ILO Conventions No. 92 and No. 133. In accordance with standing orders, the accommodation, mess rooms, sanitary facilities and hospital accommodation are inspected by the Master or a designated officer at intervals not exceeding one week. The results of the inspections, and any deficiencies and corrective actions taken, are recorded in documents kept with the on board SMS.
Annexes
Procedure for Inspection of the Accommodation Check list for monthly inspections of accommodation and recreational facilities and check of food supplies Instructions to the Master (standing orders)
Instructions to the Master
The Master shall regularly and at least once a week carry out an inspection of the ship's day rooms in accordance with the relevant established procedure.
Comments
In view of the fact that the construction-related requirements are supposed to be met already at the building/registration of the ship, attention is solely given to the continuous maintenance and cleaning. As regards inspections of the accommodation, which has been very broadly defined in the procedure copied in the collection of data, it is suggested that with few exceptions this can be carried out in connection with the daily work (on the way to and from work locations, deficiencies noted during ordinary cleaning etc.). The need for fixed and formal inspections, therefore, would be most outspoken as far as parts of the accommodation not inspected during the daily work are concerned. An example of a more comprehensive system for monthly inspections has been copied in the collection of data.

9. On-board recreational facilities (Regulation 3.1)

Declaration of Maritime Labour Compliance Part I
<p>Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships [Notice D from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged in domestic voyages]</p> <p><u>Recreational facilities</u></p> <ul style="list-style-type: none"> Requirements for recreational facilities are regulated by chapter II-3 of Notice B and Notice D, respectively. Notice B applies to new cargo ships with a length (L) of or above 15 metres or with scantlings of or above 100 and to passenger ships engaged in international voyages. Notice D applies to all new passenger ships engaged on domestic voyages. The regulation contains provisions on outdoor areas/recreational areas and recreational rooms. The requirements implementing this part, in which it is related to ship construction and equipment, apply only to ships the keel of which is laid or which are at a similar stage of construction on or after 20 August 2013, when the MLC enters into force. As regards ships constructed before this date, the requirements on ship construction and equipment stipulated in ILO Conventions no. 92 no. 133 on the accommodation of ships crews on board will continue to apply if they applied before the relevant date according to law and practice. A ship must be considered to be constructed on the date when the ship's keel is laid or when it is at a similar stage of construction. Both Conventions are fully implemented in Danish law. Thus, chapter II-3 issued in connection with the implementation of the MLC on accommodation spaces fully takes account of the requirements of regulation 3.1. <p><u>Exemptions and equivalent</u></p> <ul style="list-style-type: none"> Any exemptions or equivalent solutions in relation to chapter II-3 must be documented on board so that it is possible to verify compliance with the regulations during an inspection in a manner that is easy for the surveyor.
Declaration of Maritime Labour Compliance Part II (DSA)
<p>The shipowner will take care that regular inspection is made of the ship's recreational areas and equipment, which are considered an integral part of the ship's accommodation, cf. point 8. To the extent that welfare activities on board and in port are not arranged by the ship's club, it falls on the shipowner to ensure that a minimum of recreational options are available for the seafarers (viz. TV/film monitor, library, exercise equipment, slop chest, postage and telecommunications etc.).</p>
Declaration of Maritime Labour Compliance Part II (ISF)
<p>In conformity with national regulations, crew members may send mail from the vessel whilst the vessel is in port. Outgoing mail is placed in a receptacle outside the ship's office. Incoming mail will be distributed by the duty officer upon receipt. Seafarers also have access to email where practicable. Seafarers are provided with the following recreational facilities:</p> <ul style="list-style-type: none"> Televisions and DVD players in officer and crew lounges;

- CD radio players in every cabin;
- Ship's library;
- Exercise equipment;
- Bar facilities in officer and crew lounges ;and
- Smoking room.

Seafarers, when off duty, may utilise the deck area aft of the accommodation on Deck 3 for relaxation purposes.

Annexes

[Procedure for Inspection of the Accommodation](#)

[Check list for monthly inspections of accommodation and recreational facilities and check of food supplies](#)

[Instructions to the Master \(standing orders\)](#)

Instructions to the Master

If the recreational and welfare activities on board are not adequately arranged and maintained under the auspices of a ship's club run by the crew, the Master shall take care that a minimum of recreational options are available for the seafarers. These options shall, apart from a ship's library, exercise equipment, slop chest, postage and telecommunications, TV and film, include access to and circulation of the offers from Danish Government Seamen's Service (distribution of books, news services etc.). Day rooms and recreational facilities, including exercise equipment as it is, shall be regularly inspected and kept in a good working condition. To the extent that circumstances and expenditure permit, the Master shall give the seafarer opportunities to go ashore during off-duty hours when the ship is in port or at safe anchorage.

Comments

In the ISF guide accommodation and recreational facilities appear together. As regards inspection, maintenance and follow-up, accommodation and recreational facilities are considered to be contained in point 8, accommodation, and shall be handled as part hereof.

10. Food and catering (Regulation 3.2)

Declaration of Maritime Labour Compliance Part I

Order on food in Danish ships

- The food must be composed in such a manner that account is taken of the necessary content of proteins, fat and carbohydrates as well as of vitamins, minerals and salts. The food must be as varied as possible and appear appetizing. The composition of the food must be adjusted to the climatic conditions. Fresh or deep-frozen raw materials must be used insofar as possible.
- The food must be cooked and served under appropriate conditions of hygiene.
- Drinking water must be of sufficient quality and available in ample supplies in relation to the size of the crew on board.
- The food must be distributed on three main meals and one or more snacks between meals.
- The food must be offered in such quantities that everyone on board can get enough to eat.
- The composition of the food must be adjusted to the seafarers' religious beliefs and cultural background.
- The food must be free of charge to the seafarer during the period of service. However, it can be agreed between the parties that the right to free food can be met through the payment of compensating board-wages when the seafarer does not sleep on board.

Order on the hygiene competences of seafarers handling articles of food on board ships

- Persons signing on for a position on a Danish merchant ship involving this person's handling of articles of food on board and not having a certificate of competency as a ship's cook must be able to document competences within self-monitoring of procedures concerning the treatment of articles of food, including critical items to be checked and monitoring procedures, general microbiology, including foodborne diseases, and hygienic principles, including cleaning, personal hygiene and the handling and storage of articles of food.
- The competences can be acquired either as part of a training programme or through a certificate training programme in food hygiene the contents of which is decided by the Danish Veterinary and Food Administration where a certificate is acquired upon completion, or through training on board a ship of at least 7 days' duration where, among other things, e-learning is used.
- The master is responsible for the persons handling articles of food on board having documentation of the above-mentioned competences.

Act on the manning of ships and order on the qualification requirements of cooks not holding a Danish certificate of competency as a ship's cook to serve as a ship's cook on board merchant ships registered in the Danish International Ship Register

- A cook prescribed in the minimum safe manning document of a ship must hold a Danish certificate as a ship's cook. Nobody younger than 18 years must serve as a ship's cook.
- In ships registered in the Danish International Ship Register no Danish certificate as a ship's cook is required. Persons can serve in prescribed positions as ship's cooks if they can document apprenticeship in the cooking profession of 48 months, hereof

at least 24 months in seagoing ships, or satisfactory completion of a cook's training programme with the relevant contents from a recognised training centre supplemented by service as a cook on board a seagoing ship for at least 5 months. The documentation must be accompanied by an endorsement by the Danish Maritime Authority confirming that the holder can serve as a prescribed cook.

- Persons who have acquired the right to work as a prescribed cook on board Danish ships in accordance with regulations in force before the entry into force of the ILO Maritime Labour Convention retain this right.

Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships

Order on Notice D from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships engaged in domestic voyages

Keeping of stores, etc.

(Notice B, chapter II-3, regulation 11.6) and (Notice D, chapter II-3, regulation 11.6)

- Suitable and sufficient possibilities of storing provisions as well as refrigerating and freezing arrangements must be available for easily perishable articles of food.

Drinking water

(Notice B, chapter II-3, regulation 20.2) and (Notice D, chapter II-3, regulation 17.2)

- It shall be ensured that the drinking water on board (which is used for human purposes) is of a satisfactory quality suitable for the intended purpose. It shall be possible to prove this through regular analyses assessed against international standards.

Cleaning and inspection

(Notice B, chapter II-3, regulation 11.6) and (Notice D, chapter II-3, regulation 11.6)

- Accommodation spaces (including the galley) must be kept clean and proper. Cleaning must take place on a daily basis. They must be used only for goods or stores belonging to the one(s) for whom the room is intended.
- Accommodation spaces must be disinfected to the extent necessary following every contagious disease on board.
- Accommodation spaces in which vermin are found must be cleaned and disinfected immediately.
- The master or the one whom he or she has entrusted with this task must, together with one or more crew members, inspect all accommodation spaces at intervals of no more than one week.
- The result hereof must be entered in the ship's logbook if one is available or otherwise in the annexed file.

Declaration of Maritime Labour Compliance Part II (DSA)

The shipowner will take care that the crew is offered good and adequate food and that it is prepared and served under proper hygienic conditions and is handled by persons having the prescribed competencies in food hygiene. The shipowner will take care that the cook responsible for the preparation of food is at least 18 years of age. The shipowner will take care that provisions are stored under secure and hygienic conditions. The shipowner will take care that drinking water on board is adequate, qualitatively and quantitatively.

Declaration of Maritime Labour Compliance Part II (ISF)

In accordance with standing orders, potable water is tested by a designated officer, prior to and on completion of loading. Test results are recorded as part of the SMS. Where potable water does not reach the required standard this is recorded in the ship's official log and rejected prior to loading. In accordance with standing orders, food stores are ordered to ensure a minimum of one month's useable food (or longer if operationally required). Upon receipt of the stores they are inspected by the Chief Officer or a designated officer and the ship's cook to ensure that they conform to the required standard. Any substandard food is rejected, with a record of such rejections maintained in the galley. In accordance with the SMS, food is stored in the dry store, cold store or freezers as appropriate. In accordance with standing orders, food preparation only takes place in the galley, which conforms to national regulations. Menu plans are located in the galley. Any unresolved issues arising from cultural or religious requirements are reported to the Company and recorded in the ship's official log. Ship's cooks and catering staff are qualified in accordance with national regulations. Documentation concerning qualifications is kept with the on board SMS. In accordance with standing orders, the galley, food storage areas and supplies of food and water are inspected by the Master or a designated officer at intervals not exceeding one week, with particular reference to hygiene. The results of the inspections, and any deficiencies and corrective actions taken, are recorded in documents kept with the on board SMS. Standing orders prohibit seafarers under the age of 18 from being involved in food preparation.

Annexes

[Food and Catering - Good and Sufficient Food](#)
[Food and Catering - Preparation under Proper Hygienic Conditions](#)
[Food and Catering - Drinking Water](#)
[Self Assessment - Weekly Report](#)
[Manning Procedure](#)
[Qualifications - Catering Staff](#)
[Check list for monthly inspections of accommodation and recreational facilities and check of food supplies](#)
[Instructions to the Master \(standing orders\)](#)

Instructions to the Master

The Master will take care that the provisions of the order in force regarding food on board Danish ships are followed, including:

- that only persons able to document on signing on that they are in possession of the necessary competencies, in the shape of training as ship's cook or an approved hygienic course, are allowed to be involved in the handling of food on board.
- that the person responsible for food preparation (the cook) prepares and displays menus ensuring a varied and nutritional diet, with due consideration for the provisions of the above order, including the religious and cultural background of the crew.
- that the food, which shall be distributed over three main meals and one or more snacks, is prepared and served under hygienic and proper conditions in adequate quantities.
- that the person responsible for food preparation currently and regularly checks the provisions and the conditions under which they are kept and that faults or

insufficiencies are remedied at once. Also, that drinking water is of a proper quality and available in adequate quantities.

- documentation for completed training in accordance with the e-learning material prepared by Seahealth.
- that inspection of the galley and the provisions shall be a fixed point in the procedure for the weekly inspection of the accommodation and that observations, if any, are noted in the ship's journal.

Doubt regarding the quality of the drinking water shall be handled under the auspices of the safety committee, and this is also the relevant forum to discuss and make remarks about the food.

Comments

Instead of stating that “the shipowner will take care...” in DMLC Part II, it can also be stated that “the shipowner has procedures...” dealing with the various conditions. Examples of such procedures, divided into topics, form part of the collection of data. It will make good sense to merge these procedures with, or supplement them with, more operational measures, so that they match and reflect the conditions of the individual shipowner/ship. As to the on board training of hygienic competencies, reference is made to the education material prepared by Seahealth, where viewing the instructional film, reading the pamphlet “the hygiene material” and the practical training on board are considered to meet the minimum requirement. Regarding the requirement for cleanliness and weekly inspections there is a certain overlap with point 8, accommodation, and point 9, recreational facilities.

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

Declaration of Maritime Labour Compliance Part I

Act on safety at sea

Order on Notice A from the Danish Maritime Authority, occupational health in ships

Act on safety investigations of marine accidents

- The Danish regulations on occupational health apply to all work carried out on board ships and prescribe that the obligations rest with the shipowners, masters, foremen and other persons carrying out work on board. The regulations implement EU directives on the health and safety of employees during work, including pregnant employees, employees who have just given birth or who are breast-feeding. The regulations concern the planning and arrangement of the work, the performance of the work, training and instructions, control of occupational health, general preventive principles as well as occupational health effects (physical, biological and chemical ones). In addition, there are special regulations on young persons' work on board ships, including certain types of work that must not be carried out by young persons below the age of 18.
- The planning and arrangement of the work presupposes that a workplace assessment is made which must be available in writing to the extent that it is of special importance to health and safety during work. The workplace assessment must, inter alia, be made in consideration of the best possible prevention of accidents or occupational injuries.

Occupational accidents and injuries

- The master of any ship must report occupational accidents and incidents of poisoning that have occurred on board the ship if the accident or the poisoning has led to incapacity for work for one day or more in addition to the day of the incident or if the injured person has not been able to carry out his or her usual work on board for one day or more in addition to the day of the injury.

The safety organisation on board

- In merchant ships with a fixed manning of 4 or more persons, a safety organisation must be established.
- The members of a safety group must have completed a course in occupational health approved by the Danish Maritime Authority.
- The members of the safety organisation must strive to solve health- and safety-related problems on board.
- The safety group must check that the working conditions and the work are arranged and carried out in a manner that is appropriate in terms of health and safety.

Seahealth Denmark, etc.

- Seahealth Denmark has been established the task of which is to further both the physical and mental health and safety of the employees, to prevent occupational health injuries, including occupational accidents, occupational diseases and attrition among those employed on Danish merchant ships and to support the safety organisations of the ships. The tasks of Seahealth Denmark are, inter alia, to identify and assess the occupational health problems of the merchant fleet in cooperation with the shipping company and the safety organisation, to present proposals for improving the conditions of health and safety on board merchant ships and to contribute to the collection and revision of statistical material on the conditions of

health and safety on merchant ships. Seahealth Denmark is headed by a board on which shipowners and seafarers are equally represented.

Investigation of accidents

- Pursuant to the **act on safety investigations of marine accidents**, a Maritime Accident Investigation Board has been established, which investigates very serious accidents at sea. Other occupational accidents are investigated by the Danish Maritime Authority.

Declaration of Maritime Labour Compliance Part II (DSA)

The shipowner will ensure the seafarers' safety and health through a number of precautions incorporated in the special procedures and working instructions forming part of the shipowner's Safety Management System. These procedures enable the Master to maintain the ship in a safety- and health-wise secure condition, and ensure that the work on board can be planned and carried out in a safety- and health-wise secure manner. The procedures and the instructions enable those in charge of the work on board to ensure that the employees are adequately protected against accidents and injurious conditions. At the same time, it enables those in charge, through instruction and supervision, to ensure that the work is carried out in a secure manner under due consideration for risks of accidents and damage to health. Procedures and instructions ensure that the employees on board contribute to making the measures, aimed at protecting them from accidents and injurious influence, work according to plan. Procedures and instructions ensure that everybody on board respect the safety measures taken on board with regard to the ship's seaworthiness and the safety of those on board.

Declaration of Maritime Labour Compliance Part II (ISF)

Health and safety and accident prevention policies and programmes, including risk evaluation, are covered by the Safety Management System. This is subject to internal and external audit and certification as required by the IMO ISM Code. Occupational accidents are recorded within the SMS and the ship's official log, and reported to the DPA. In accordance with the SMS, a Permit to Work system is in operation. In accordance with standing orders and the SMS, Personal Protective Equipment is always provided and must be worn by crew members when required. This ship has a Safety Committee in accordance with national regulation. Minutes can be found with the on board SMS documentation. Issues identified, including any issues that cannot be immediately resolved, are reported to the Master and the DPA.

Annexes

[Risk Assessments](#)

[Work Permit System](#)

[Notification of Accident at Work Concerning Seafarers and Fishermen](#)

[Instructions to the Master \(standing orders\)](#)

Instructions to the Master

The Master will take care that the work on board is planned and the duties performed in a safety- and health-wise secure manner. The Master will take care that the safety work on board is organized and that everybody on board has the possibility to be familiar with the composition of the safety committee. The Master will see to it that members of the safety

committee who have not completed the work environment course will soonest possible receive on board training and be enrolled in a work environment course. The Master shall report work-related injuries and cases of poisoning resulting in inability to work for one day or more, beyond the day of the incident. As chairman of the safety committee the Master will ensure that meetings in the safety committee are held regularly and at least once every quarter, during which the safety- and health-related conditions on board are discussed. The Master will see to it that minutes of meetings are taken and that a copy hereof is made available to the crew and to the shipowner. The Master will find further guidelines in the shipowner's SMS, and in his daily handling of the safety work he can moreover make use of the material prepared by e.g. Seahealth, adjusted to the duties occurring on the ship.

Comments

Work environment and the handling hereof, including the organization of the safety work is one of the areas where Danish shipowners/ships are already supposed to have taken quite comprehensive measures, which to a great extent are incorporated in the shipowners' SMS. In the collection of data a few examples of this are copied. It is assumed that all ships are capable of producing documentation for the organized safety work, including minutes of meeting held in the safety committee, examples of written risk assessments as well as work-related injuries, if applicable, and the follow up on these.

12. On-board medical care (Regulation 4.1)

Declaration of Maritime Labour Compliance Part I

Act on seafarers' conditions of employment, etc., section 27 – order on seafarers' right to care and order on a special health insurance scheme for seafarers

- All in all, the regulations ensure the seafarer free medical treatment, medicine, etc. during the service on board and during stays in foreign ports. The special health insurance scheme for seafarers includes treatment services corresponding to those applicable in Denmark, but adjusted to the special conditions at sea. During the service on board, the seafarer also has a possibility of receiving financial subsidies from the State for certain types of acute dental treatments.

Order on Notice A from the Danish Maritime Authority, occupational health in ships, chapter A IX B, investigations, medical treatment and ship's medicine

Medical treatment, etc.

- The regulations on medical treatment and ship's medicine apply to seafarers on board all ships with the exception of ships engaged in voyages of no more than half an hour's duration at sea and towboats and other ships navigating port areas. Similarly, the regulations on occupational health apply to all commercial work carried out on board new as well as existing Danish ships.
- The regulations ensure that, in consideration of a ship's trade area, a ship's medicine chest is on board with the prescribed equipment, guidelines and medicine and that the master and another seafarer has completed a medical examiner training programme meeting, inter alia, the requirements of the STCW Convention hereon.
- The medical treatment on board must be arranged and carried out in accordance with the instructions given in the medical book authorised by the Danish Maritime Authority.
- Through Radio Medical Denmark, professional assistance for both Danish and foreign ships free of charge is ensured 24 hours a day.
- The ship's medical records, containing information about examinations, ordination from Radio Medical, treatment and the supply of medicaments, are confidential and handed over to the seafarer when he or she signs off. A copy of the record must be kept on board for a year, and subsequently the copy must be destroyed.
- Seahealth Denmark publishes information and training material about job satisfaction, health prevention and accident prevention for seafarers.

Order on the health service on board ships

- A medical practitioner must be available on board if the number of persons on board exceeds 100. However, this is conditional upon the ship being engaged in voyages abroad of more than three days' duration.

Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships

Order on Notice D from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged on domestic voyages

- Requirements for the medical treatment on board are stipulated in chapter II-3 of Notice B and Notice D, respectively.
- Notice B applies to new cargo ships with a length (L) of or above 15 metres or with scantlings of or above 100 and to passenger ships engaged in international

voyages.

- Notice D applies to all new passenger ships engaged in domestic voyages.
- The provision on medical treatment on board in Notice B is found in chapter II-3 and describes the requirements for a separate sickness bay where one is required.
- However, instead of a sickness bay a treatment room can be established that must be appropriately equipped, including a washbasin and an acute treatment place when each member of the crew has his or her own cabin with associated toilet and shower.

Exemptions and equivalentents

- Any exemptions or equivalent solutions in relation to chapter II-3 must, however, be documented on board so that it is possible to verify compliance with the regulations during an inspection in a manner that is easy for the surveyor.

Declaration of Maritime Labour Compliance Part II (DSA)

The Master or the medical attendant appointed by him is in charge of medical treatment on board pursuant to the guidelines issued by the DMA. The medical attendant is authorized to give and request necessary assistance, including referrals to doctor and dentist treatment ashore at no cost to the seafarer. All treatments and Medical Request forms are entered into or kept within the control document of the medical chest.

Declaration of Maritime Labour Compliance Part II (ISF)

The rights of seafarers to free medical care and health protection are set out in the SEA, copies of which are kept with the on board SMS documentation. Occasions when seafarers require medical care on board or in port are recorded in the ship's official log and reported to the DPA. Seafarers designated to provide medical care are qualified in accordance with STCW standards, and are identified on the crew list. The ship's Medical Chest is contained in the hospital accommodation. Records of flag state inspections of the chest are kept with the on board SMS documentation. As required by national regulation, the 'International Medical Guide for Ships' and the 'Medical First Aid Guide for Use in Accidents Involving Dangerous Goods' are kept in the hospital accommodation. Blank medical report forms, meeting flag state requirements, are kept in the hospital accommodation, with completed report forms being kept by the Master to ensure confidentiality.

Annexes

[Manning Procedure](#)

[Instructions to the Master \(standing orders\)](#)

[User Instructions for the Contents of Ship's Medicine Chest](#)

[Medical Report](#)

Instructions to the Master

A seafarer falling ill shall advise the medical attendant on board, who will commence a treatment according to the guidelines stated in the DMA's Medical Book and draw up a medical file. The medical attendant shall as far as possible have the sick seafarer examined by a doctor ashore or commence treatment through consultation with doctors under Radio Medical. The medical examination and the ensuing medication/treatment are done at no cost to the seafarer. For the visit to the doctor the special Medical Report, issued by the DMA, is to be used, which shall be treated confidentially after completion.

The ship's copy of the report shall be part of the medical file. The shipowner's expenses for doctor consultations and medicine can possibly be refunded via the special medical insurance, administered by the DMA and financed by the shipowners, and it will equally cover the shipowner's expenses for hospitalization and possible repatriation of the seafarer. On termination of treatment on board a special note is made in the seafarer's personal papers, saying that the confidential medical file shall be handed to the seafarer on his signing off.

Comments

The comments for this point are considered as contained in the Instruction to the Master

13. On-board complaint procedures (Regulation 5.1.5)

Declaration of Maritime Labour Compliance Part I
<p>Order on complaints on board Danish ships</p> <ul style="list-style-type: none"> • The shipowner is responsible that a written procedure is drawn up for the treatment of employee complaints. It must be stipulated in the complaint procedure that complaints must be given to the seafarer's superior. • The complaint procedure must ensure that the complaint is promoted without any groundless delay to provide the employee with a reasonable possibility of bringing the complaint further. • The complaint procedure drawn up must contain protective measures against the risk of personal persecution. • The procedure must at all times entitle the plaintiff to be accompanied or represented during the complaint procedure. • All complaints and decisions related to the complaints must be recorded on board and the plaintiff must receive a copy. • All employees must, as an addition to their employment contracts, be furnished with a copy of the procedures on complaints on board the ship. • Moreover, reference is made to the order that must be available on board the ship and can be found in an English version on the webpage of the Danish Maritime Authority (www.dma.dk).
Declaration of Maritime Labour Compliance Part II (DSA)
<p>The shipowner has established a complaints procedure applicable when a seafarer wishes to lodge a formal complaint over the conditions that the seafarer encounters on board or over the settlement of his wages. The procedure can form part of, but cannot replace, the possibilities for complaint following from other legislation, collective agreements and other agreements. The seafarer shall be advised, not later than on his introduction to the ship, about the shipowner's complaints procedure, which shall equally be displayed at an easily accessible location on board, stating contact information to the relevant authorities and persons on board, who can assist the seafarer with the complaint.</p>
Declaration of Maritime Labour Compliance Part II (ISF)
<p>In accordance with standing orders, all seafarers are provided with a copy of the on board complaint procedures in the working language of the ship. A copy is available in the officer and crew lounges and a copy is kept with the on board SMS documentation.</p>
Annexes
<p>Procedure for Handling Complaints on Board Employee Information Instructions to the Master (standing orders)</p>
Instructions to the Master
<p>The Master will take care that the complaints procedure is displayed at an easily accessible location on board and that contact information to the relevant authorities and persons is kept updated and correct. The other obligations of the Master regarding the handling of complaints, including registration, appear from the complaints procedure.</p>

Comments

The requirement for an on board complaints procedure is one of the new additions following from the MLC. In the collection of data a suggestion for a complaints procedure has been copied, as well as a simple system for handling of complaints. In order to avoid establishing a “complaints organization”, the procedure suggests that the existing safety organization is used as far as identification of the person on board, who can be of assistance to the complainant, is concerned.

14. Payment of wages (Regulation 2.2)

Declaration of Maritime Labour Compliance Part I

Act on seafarers' conditions of employment, etc., sections 21-26, provisions on the payment of wages to seafarers

Danish law does not regulate the amount of wages and allowances to be paid to a seafarer and any adjustments hereof. Normally, this will be decided by collective agreement between the two sides of industry or by an individual agreement between the seafarer and the employer.

Seafarers' wages

- According to law, a seafarer is entitled to wages during the work, and it is earned on an on-going basis though the amount of wages is normally fixed at an amount per month.
- Wages normally mean basic wages and increments. To this can be added other types of allowances for special service or for especially hard and burdensome work or the like.
- Information about wages and allowances must be stated in the seafarer's employment contract or through reference to a collective agreement.
- Wages run from the time agreed by the parties, however not later than from the time when the seafarer starts serving on board or as otherwise stipulated in section 21 of the act.

Payment of wages and monthly statement

- The seafarer's wages must be paid at intervals of no more than 1 month.
- The seafarer can require the wages earned paid in cash only when the ship is in port and, while in the same country, not more frequently than every seventh day.
- Cash payment can be required in the local currency used in the port where the ship is berthed and the exchange rate of the day must be used. The seafarer can also choose to have the wages paid as a special authorisation of payment by the shipping company.
- According to the law, the seafarer must receive a monthly account of the wages earned including allowances, the wages paid and the rate of exchange used if the payment is made in another currency than the one agreed upon.

Transfer of seafarers' wages

- According to the law, a seafarer can require his or her wages paid as monthly allotments to a specific person. However, payment cannot be required according to more than three parallel allotment notes. A seafarer can require all wages or parts hereof transferred to one or more financial institutions in Denmark or abroad.

Prohibition against set-offs in wages

- Without the seafarer's consent, deductions can be made from wages only of amounts for covering liability to pay compensation claims incurred during the service, in addition to such amounts as the shipowner is ordered to withhold pursuant to statutory provisions. Deductions must be made from wages paid to the seafarer rather than from wages paid as allotments unless the seafarer decides otherwise.

Declaration of Maritime Labour Compliance Part II (DSA)
The seafarer shall receive a statement of earned, paid and outstanding wages in connection with monthly accounts. Unless the statement is prepared on board it shall be mailed to the seafarer or to the Master, who will then hand it to the seafarer.
Declaration of Maritime Labour Compliance Part II (ISF)
Wages are paid on a monthly basis and seafarers receive a monthly wage slip. Documentation relating to payments, allotments and instructions from seafarers, as well as currency conversion arrangements, are held by the Master or a designated officer.
Annexes
Procedure for Calculation and Payment of Wages Manning Procedure Employee Information Instructions to the Master (standing orders)
Instructions to the Master
The Master shall to a suitable extent be familiar with and comply with the shipowner's procedure for calculation and payment of wages for seafarers on board. The Master will see to it that the seafarer receives a monthly statement of earned, paid and possible outstanding wages and takes care that possible questions to the statement are answered.
Comments
As stated in the instruction to the Master he is expected, to a suitable extent, to be familiar with and be able to account for the shipowner's procedure for calculation and payment of wages, which includes showing examples of monthly statements of wages, also as far as seafarers employed through recruitment services are concerned. In the collection of data an example of a procedure for calculation and payment of wages, prepared ashore, on board or in a combination hereof, has been copied for inspiration.

V - Example of duly executed certificate and statement of compliance



MARITIME LABOUR CERTIFICATE

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

Issued under the provisions of Article V and Title 5 of the
Maritime Labour Convention, 2006
(referred to below as "the Convention")
under the authority of the Government of:

The Kingdom of Denmark

by **DANISH MARITIME AUTHORITY, Carl Jacobsens Vej 31, 2500 Valby , Denmark**

Particulars of the ship

Name of ship	No Name
Distinctive number or letters	OXDK 2
Port of registry	Hals
Date of registry	01-09-2013
Gross tonnage ¹	5000
IMO number	1234567
Type of ship	Bulk carrier
Name and address of the shipowner ²	No Name Shipping A/S, Skibsgade 3, 9280 Storvorde, Denmark

THIS IS TO CERTIFY:

1. That the ship has been inspected and verified to be in compliance with the requirements of the Convention, and the provisions of the attached Declaration of Maritime Labour Compliance.
2. That the seafarers' working and living conditions specified in Appendix A5-I of the Convention were found to correspond to the abovementioned country's national requirements implementing the Convention. These national requirements are summarized in the Declaration of Maritime Labour Compliance, Part I.

¹ For ships covered by the tonnage measurement interim scheme adopted by the IMO, the gross tonnage is that which is included in the REMARKS column of the International Tonnage Certificate (1969). See Article II(1)(c) of the Convention.

² *Shipowner* means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organizations or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. See Article II(1)(j) of the Convention.



This certificate is valid until 01-05-2018 subject to inspection in accordance with standards A5.1.3 and A5.1.4 of the Convention

Completion date of the inspection on which this Certificate is based was 01-05-2013

Issued at København on 01-05-2013

Jette Lisbeth Bloch Arrias

(Signature of the duly authorized official issuing the interim certificate)



(Seal or stamp of issuing authority, as appropriate)

Endorsements for mandatory intermediate inspection and, if required, any additional inspection.

This is to certify that the ship was inspected in accordance with Standards A5.1.3 and A5.1.4 of the Convention and that the seafarer's working and living conditions specified in Appendix A5-I of the Convention were found to correspond to the above mentioned country's national requirements implementing the Convention.

Intermediate inspection

Signed:

(to be completed between the second and third anniversary dates)

.....
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)



Additional endorsements (if required)

This is to certify that the ship was the subject of an additional inspection for the purpose of verifying that the ship continued to be in compliance with the national requirements implementing the Convention, as required by Standard A3.1, paragraph 3 of the Convention (re-registration or substantial alteration of accommodation) or for other reasons.

Additional inspection:

(if required)

Signed:

.....
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Additional inspection:

(if required)

Signed:

.....
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Additional inspection:

(if required)

Signed:

.....
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)



Maritime Labour Convention, 2006

DANMARK
DENMARK

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

DANISH MARITIME AUTHORITY, Carl Jacobsens Vej 31, 2500 Valby, Denmark

With respect to the provisions of the Maritime Labour Convention, 2006, the following referenced ship:

Name of ship	IMO number	Gross tonnage
No Name	1234567	5000

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

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

- the provisions of the Maritime Labour Convention are fully embodied in the national requirements referred to below;
- these national requirements are contained in the national provisions referenced below; explanations concerning the content of those provisions are provided where necessary;
- the details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided in the section provided for this purpose below;
- any exemptions granted by the competent authority in accordance with Title 3 and clearly indicated in the section provided for this purpose below; and
- any ship-type specific requirements under national legislations are also referenced under the requirements concerned.

1. Minimum age (Regulation 1.1)

Act on seafarers' conditions of employment, etc., section 4, Minimum age provisions

- The minimum age required of seafarers working on Danish ships is the one stipulated in the MLC, i.e. 16 years. For the protection of seafarers between the age of 16 and 18 years, special regulations have been laid down on hours of rest, night work, etc., that are mentioned below.

Act on the manning of ships, section 8, Ship's cooks

- Ship's cooks prescribed in the ship's minimum safe manning document must not be below the age of 18.

Order on seafarers' hours of rest

Regulations on prohibition against night work, etc. for young persons below the age of 18

- A seafarer below the age of 18 must have at least a 12-hour period of rest during a 24-hour working day. A seafarer below the age of 18 must not work during the period from 20.00 to 06.00 hours, and this period determines the concept of a night. However, the master can require that seafarers below the age of 18 work when it is necessary in consideration of the immediate safety of the ship, those on board or the cargo or to assist other ships or persons in distress at sea.

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- For watchkeeping seafarers below the age of 18, the 12-hour period of rest can be divided into a maximum of two periods, one of which must have a duration of at least 8 hours and fall between 20.00 and 06.00 hours.
- However, the prohibition against night work does not apply if any other placement is necessary as part of a vocational training programme, a maritime training programme approved by the Danish Maritime Authority or similar training of at least 2 years' duration leading to professional qualification.

Notice A from the Danish Maritime Authority, chapter I, part B, Young people's work on board ships

- Seafarers below the age of 18 must not carry out work that is harmful to health. Chapter I, part B, describes work that is considered harmful to young seafarers' health. This includes, for example, work using certain technical equipment.
- Young seafarers must not be exposed to noise or vibrations that may present a risk to their health. In addition, work is prohibited in for example surroundings that, due to extremely high or extremely low temperatures, may present a risk to the safety of young seafarers, just as young seafarers must not work with or in any other way be exposed to the effects of harmful substances and materials.
- A seafarer below the age of 18 can, however, carry out certain types of risky work to the extent that it is necessary to complete certain types of training. As regards work after the completion of the training programme, the same exemptions apply to the extent that they are necessary for the young person's employment and on the condition that he or she is still below the age of 18.

2. Medical certification (Regulation 1.2)

Order on medical examinations of seafarers and fishermen

- In order to work on board a ship, seafarers must hold a valid health certificate documenting that the seafarer has been found fit for ship service, if relevant with certain limitations, through the special medical examination of seafarers.
- The form and contents of the certificate is determined by the Danish Maritime Authority and it is in both Danish and English.
- In Denmark, medical examinations must be carried out only by maritime medical practitioners appointed by the Danish Maritime Authority who have been assigned a special maritime medical practitioner's number. An overview of maritime medical practitioners is available from the webpage of the Danish Maritime Authority (www.dma.dk). Outside Denmark, the medical examination can be carried out by medical practitioners approved in the relevant country to carry out national medical examinations of seafarers.
- The maritime medical practitioner uses the digital medical certificate prescribed by the Danish Maritime Authority laying down, inter alia, the scope of the medical examination and whether the seafarer is fit for lookout duty. If the examination is carried out outside Denmark, the English paper version of the medical certificate is used with the associated guidelines containing information about when a seafarer's diseases and defects result in unfitness for ship service, limitations in the period of validity, the work area on board or the trade area. The medical certificate is available from the webpage of the Danish Maritime Authority (www.dma.dk) and can be downloaded. Other medical certificates must not be used for medical examinations outside Denmark unless otherwise provided by the Danish Maritime Authority's webpage (www.dma.dk).
- The maritime medical practitioner issues or endorses the seafarer's health certificate as regards the result of the medical examination and whether the examination of the seafarer's sight and hearing makes him or her fit

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for lookout duty. In this connection, the maritime medical practitioner states his name and address and stamps the certificate with the assigned maritime medical practitioner's number. In connection with medical examinations outside Denmark, this is done by the master stating the examining medical practitioner's name and address as well as the master's name and the ship's name. The Danish Maritime Authority can also issue a health certificate to a seafarer or endorse it.

- For seafarers of 18 years of age or older, the medical examination and thus also the health certificate has a validity of 2 years, calculated from the date of the examination, whereas the medical examination for seafarers below the age of 18 has a validity of 1 year. However, the examining medical practitioner can limit the medical examination and thus also the period of validity of the health certificate. If the period of validity of the health certificate expires during a ship's voyage, the certificate remains valid until its first call at a port where it is possible to carry out the examination without unnecessary delay, however no more than 3 months from the date of expiry.
- When the seafarer signs on, he or she must hand over the health certificate to the master who must keep it for as long as the seafarer serves on board.

- Complaints

The decision by the maritime medical practitioner or by the foreign medical practitioner that a seafarer is unfit for ship service or fit with limitations and the subsequent endorsement of the health certificate can in writing be brought before the special Danish Shipping Tribunal, which has inter alia maritime medical knowledge. The Danish Shipping Tribunal is a Danish independent public authority. As regards complaints about decisions about the importance of a seafarer's sight and hearing for the work on board, the Danish Maritime Authority is the complaint authority.

3. Qualifications of seafarers (Regulation 1.3)

Act on the manning of ships and act on the maritime training programmes

- Requirements for seafarers' qualifications are primarily regulated through the act on the manning of ships and the act on the maritime training programmes. A number of regulations have been issued pursuant to the two acts mentioned above, and those regulations fully consider the requirements of regulation 1.3. Denmark ratified the STCW Convention in 1981. Thus, ship's officers holding both Danish and foreign certificates of competency are certified in accordance with the STCW Convention, as amended. Similarly, other seafarers must be instructed about personal safety in accordance with the STCW Convention before the service is started on board.

4. Seafarers' employment agreements (Regulation 2.1)

Order on the shipowner's obligation to conclude a written contract with the seafarer about the conditions of employment

- A written employment contract must be concluded between the seafarer and the shipowner or the employer or the one who has assumed the responsibilities of the shipowner or the employer. The contract must be concluded no later than at the start of the employment; and for ship-employed seafarers no later than at the start of the service on board. The seafarer must have a chance of going through the employment contract and seeking advice about its terms before signing it.

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Contents of the employment contract

- The seafarer must receive a copy of the employment contract signed by the shipowner/employer or the one who has assumed the responsibilities of the shipowner or the employer. There is no requirement for a special form of the seafarer's employment contract.
- The employment contract must contain information about all conditions of importance to the employment as they are stipulated in the order which is available in English from the webpage of the Danish Maritime Authority (www.dma.dk). When the seafarer or the employer terminates the employment, the date hereof as well as how the employment has been terminated must be given in writing.
- As regards some of the information about the employment, the shipowner's information obligation is considered met if the employment contract refers to acts, administrative provisions or collective agreements pertaining to the relevant conditions.
- If a collective agreement constitutes the entire or parts of the seafarer's employment contract, the shipowner must ensure that a copy of this collective agreement is available on board. As regards ships engaged on international voyages, only the parts of or the collective agreements subject to port State control inspections must be available in English.

A copy of the employment contract must be available on board

- The seafarer must bring along or, before the ship's departure, procure a copy of the employment agreement for the master, who must keep it on board for as long as the employee serves on board. The seafarer's signature must be evident from the copy when it is handed over on board. As regards ships engaged on international voyages, an English copy of any standard form used must also be available on board.

Act on seafarers' conditions of employment, etc., section 74

- The master must ensure that a copy of the act and the provisions issued pursuant hereof is available on board in Danish and English and is available to the seafarers.

Order on the reporting of the signing on and signing off of seafarers to the Danish Maritime Authority and on discharge books

- A seafarer who is a Danish citizen must, when signing on, hold a Danish discharge book. However, this is the case only when he or she signs on in a position covered by the ship's minimum safe manning document. The master of the ship must in connection with the signing on and signing off of seafarers fill in and sign the seafarer's Danish discharge book.
- As regards other Danish seafarers and foreign seafarers, the master must upon request confirm the employment by endorsing the relevant person's discharge book or in some other way, for example through a special statement.
- A filled in discharge book or a written statement from the master is considered sufficient recording of the seafarer's employment to meet the provision of Standard A2.1, paragraph 1e.

Act on seafarers' conditions of employment, etc., sections 5, 37, 47, etc., Provisions on notice of termination and resignation/dismissal

Notice of termination

- Able-bodied seafarers must be given or give 7 days' notice unless otherwise agreed by contract or by collective agreement. The seafarer can have a shorter notice than the shipowner, but not the other way around.
- Ship's officers must in general be given or give 3 months' notice if the officer is engaged through an open-ended contract. However, the shipowner's notice cannot be less than 1 month during the first year. If the

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officer is engaged on a time contract, the notice will typically be shorter and in general either 1 month or 7 days. Just as is the case for able-bodied seafarers, shorter notice cannot be agreed for the shipowner than for the officer.

Resignation/dismissal (unilateral termination of the contract without notice before the expiry of the employment period)

- *By the seafarer*
The act contains a number of provisions entitling the seafarer to terminate the contract without notice (resignation). For example in cases where the ship is unseaworthy, is to call at a port with a virulent epidemic or no longer flies the Danish flag. In each individual case, certain conditions must be met that are described in more detail in the individual provisions of the act. Thus, the regulation of Standard A.2.1, paragraph 6, is met.
- *By the shipowner*
Furthermore, the act contains provisions entitling the shipowner/master to terminate the seafarer's employment without notice in case of, for example, incompetence, missing the ship, gross neglect by the seafarer, repeated disobedience, violent behaviour or drunkenness on board, etc. Thus, the regulation in Standard A.2.1, paragraph 6, is met.
- Special regulations apply to the master meeting the requirements of Standard A.2.1, paragraph 6.

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

Act on seafarers' conditions of employment, etc., sections 8a-8e, Provisions on the recruiting and placing of seafarers and order on the activities of private recruitment and placement services in Denmark

- Private recruitment and placement services for seafarers, the primary purpose of which is to recruit or place seafarers or which recruit or place a considerable number of seafarers must be operated in Denmark only if they are certified for this purpose by the Danish Maritime Authority.
- Shipowners using such Danish private recruitment and placement services must ensure that the relevant services hold a valid certificate issued by the Danish Maritime Authority. The certificate is normally valid for 5 years.
- Shipowners using private recruitment and placement services for seafarers in countries that have ratified the MLC or ILO Convention no. 179 on the recruitment and placement of seafarers (1996) must ensure that the relevant services hold a certificate or a licence documenting that they are operated in accordance with the requirements of the relevant convention.
- If the relevant country does not issue such certificates or licences to private recruitment or placement services, the shipowners must procure any other type of official confirmation that the relevant services are operated in accordance with the requirements of one of the conventions mentioned above.
- Shipowners using private recruitment and placement services for seafarers in countries that have not ratified the MLC or ILO Convention no. 179 must be able to document that the relevant services meet the requirements for recruitment and placement services stipulated in the relevant conventions.
- The Danish Maritime Authority can approve a shipowner's use of a private recruitment and placement service for seafarers in a country that has not ratified the MLC or ILO Convention no. 179. The approval is granted for a limited period of time that is normally 5 years.

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6. Hours of work or rest (Regulation 2.3)

The MLC and EU law make it possible to choose between regulating seafarers' hours of work or their hours of rest. Denmark has chosen solely to regulate seafarers' hours of rest.

Order on seafarers' hours of rest

Hours of rest per 24 hours and per week

- The seafarer must have at least 10 hours of rest during a 24-hour working day, at least 6 hours of which must be consecutive. The 10 hours must be divided into a maximum of two periods of rest, and there must be a maximum of 14 hours between the periods of rest. Absence from work counts as rest only if it has a duration of at least 1 hour. A seafarer's total hours of rest in a week must amount to at least 77 hours. All periods of rest are included.
- A working day is a 24-hour period commencing the first time the seafarer starts to work during a calendar day. A week is a consecutive period of 7 days. The Danish Maritime Authority can permit that the daily and weekly hours of rest are calculated within the calendar day (00.00-24.00 hours). A copy of the permit must be available on board.

Exemptions in case of recorded collective agreements

- Watchkeeping seafarers or seafarers working on ships engaged on short voyages (such as ferry crossings) can be entitled to shorter periods of rest. However, this presupposes that a collective agreement has been concluded providing compensation in the form of more spare-time, compensation time or the like. The agreement must also take appropriate account of the seafarer's health and safety. The special collective agreement must not be used until it has been recorded by the Danish Maritime Authority. The recorded agreement must be available on board.

Exemptions in special cases

- Seafarers on call must have a compensating period of rest if the normal period of rest is interrupted due to work and if such interruption without compensation of the employee means that the requirement for the rest hours of the 24-hour working day cannot be met.
- Employees on call must have total hours of rest during the 24-hour working day of at least 10 hours. One of the periods of rest must amount to at least 6 hours.
- Musters, fire and rescue drills and other prescribed drills must be carried out so that they interfere as little as possible with the seafarers' periods of rest and do not lead to fatigue. The total hours of rest during a 24-hour working day for a seafarer, irrespective of interruption, must be of at least 10 hours. . One of the periods of rest must amount to at least 6 hours.
- Exemptions can be granted from the provisions on hours of rest in unforeseen emergencies, for example when it is necessary for the immediate safety of the ship, those on board or the cargo or to assist other ships or persons in distress at sea. The decision is made by the master and, as soon as it is practicable, he or she must make sure that the seafarer has a sufficient period of rest.

Posters and recording of hours of rest

- In an easily accessible place on board, a record must be posted with information about each function on board and about the employees' periods of work at sea and in port, including watchkeeping periods for watchkeeping employees. The seafarer's periods of rest must be recorded on a special rest hour form on an ongoing basis. The Danish Maritime Authority has issued forms of watchkeeping and rest hours in a standardised format. The forms are available as annexes to the order on hours of rest. If a shipping company

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wants another format, this must be approved by the Danish Maritime Authority. The rest hour form must be kept in duplicate.

- The master or a person authorised by him and the seafarer must sign the hours of rest form every month. At suitable intervals and when the service on board terminates, the seafarer must receive a signed copy of the rest hour form. The ship's copy must be kept on board for 6 months after the termination of the ship service.
- The Danish Maritime Authority can permit that seafarers' rest hour data are recorded and kept electronically on board. A copy of the Danish Maritime Authority's approval must be available on board.

7. Manning levels for the ship (Regulation 2.7)

Act on the manning of ships

Minimum safe manning document

- The act on the manning of ships prescribes that, on all ships, there must be a master and in addition the crew necessary in consideration of the safety of human lives at sea.
- Passenger ships, irrespective of size, cargo ships with a gross tonnage of or above 20 and cargo ships with a gross tonnage below 20 engaged on international voyages must hold a certificate issued by the Danish Maritime Authority containing the minimum safe manning. It is issued in consideration of IMO resolution A.1047(27) on the manning of ships.
- The minimum safe manning is established for each individual ship in consideration of the ship's type, arrangement, equipment, use and trade area so that the size and composition of the crew makes it possible to carry out all tasks of importance to the safety of the ship and those on board, including:
 - maintenance of a safe bridge and engine watch;
 - operation and maintenance of life-saving appliances;
 - operation and maintenance of damage control, fire-extinguishing and communication equipment;
 - other maintenance and cleaning of a safety-related nature;
 - mooring operations;
 - food and health conditions.
- In addition, the following must be taken into consideration when determining the minimum safe manning:
 - the watchkeeping arrangements on board;
 - shift work;
 - the actual working hours of each individual crew member;
 - the provisions on rest hours in force; and
 - the use of general purpose crews.

Complaint

- During a period of 4 weeks from the issue of a minimum safe manning document, the shipping company or the seafarer organisations have a possibility of bringing a minimum safe manning document before the Danish Shipping Tribunal, which will take the final administrative decision on the composition of the crew.

8. Accommodation (Regulation 3.1)

Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships

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Order on Notice D from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged in domestic voyages

- Accommodation

Requirements for accommodation spaces are stipulated by chapter II-3 of Notice B and Notice D, respectively. Notice B applies to new cargo ships with a length (L) of or above 15 metres or with scantlings of or above 100 and to passenger ships engaged in international voyages. Notice D applies to all new passenger ships engaged in domestic voyages.

The regulation contains provisions on the location, construction and arrangement of accommodation spaces, including standing height, insulation of accommodation spaces and materials, corridors, staircases and doors, exits, ventilation, air conditioning and heating as well as mosquito nets, lighting, the arrangement of cabins, including provisions on berths, floor area, fittings, provisions on dining rooms, galleys and storerooms, provisions on sanitary installations (toilets and bathrooms), special changing rooms, laundry facilities, offices as well as cleaning and inspection, etc.

The requirements implementing this part, in which it is related to ship construction and equipment, apply only to ships the keel of which is laid or which are at a similar stage of construction on or after 20 August 2013, when the MLC enters into force.

As regards ships constructed before this date, the requirements on ship construction and equipment stipulated in ILO Convention no. 92 on the accommodation of ship's crews (revised) as well as ILO Convention no. 133 on the accommodation of ships crews (supplementary provisions) will continue to apply if they applied before the relevant date according to law and practice. A ship must be considered to be constructed on the date when the ship's keel is laid or when it is at a similar stage of construction.

- Both ILO 92 and ILO 133 are fully implemented in Danish law.

Thus, chapter II-3 issued in connection with the implementation of the MLC on accommodation spaces fully takes account of the requirements of the MLC, regulation 3.1.

Exemptions and equivalents

- Any exemptions or equivalent solutions in relation to chapter II-3 must, however, be documented on board so that it is possible to verify compliance with the regulations during an inspection in a manner that is easy for the surveyor.
- No exemptions have been made in the Danish provisions. This is not possible within the framework of regulation 3.1.

9. On-board recreational facilities (Regulation 3.1)

Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships

[Notice D from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged in domestic voyages]

Recreational facilities

- Requirements for recreational facilities are regulated by chapter II-3 of Notice B and Notice D, respectively. Notice B applies to new cargo ships with a length (L) of or above 15 metres or with scantlings of or above 100 and to passenger ships engaged in international voyages. Notice D applies to all new passenger ships engaged on domestic voyages.

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The regulation contains provisions on outdoor areas/recreational areas and recreational rooms.

The requirements implementing this part, in which it is related to ship construction and equipment, apply only to ships the keel of which is laid or which are at a similar stage of construction on or after 20 August 2013, when the MLC enters into force.

- As regards ships constructed before this date, the requirements on ship construction and equipment stipulated in ILO Convention no. 92 no. 133 on the accommodation of ships crews on board will continue to apply if they applied before the relevant date according to law and practice. A ship must be considered to be constructed on the date when the ship's keel is laid or when it is at a similar stage of construction.
- Both Conventions are fully implemented in Danish law.

Thus, chapter II-3 issued in connection with the implementation of the MLC on accommodation spaces fully takes account of the requirements of regulation 3.1.

Exemptions and equivalents

- Any exemptions or equivalent solutions in relation to chapter II-3 must be documented on board so that it is possible to verify compliance with the regulations during an inspection in a manner that is easy for the surveyor.

10. Food and catering (Regulation 3.2)

Order on food in Danish ships

- The food must be composed in such a manner that account is taken of the necessary content of proteins, fat and carbohydrates as well as of vitamins, minerals and salts. The food must be as varied as possible and appear appetizing. The composition of the food must be adjusted to the climatic conditions. Fresh or deep-frozen raw materials must be used insofar as possible.
- The food must be cooked and served under appropriate conditions of hygiene.
- Drinking water must be of sufficient quality and available in ample supplies in relation to the size of the crew on board.
- The food must be distributed on three main meals and one or more snacks between meals.
- The food must be offered in such quantities that everyone on board can get enough to eat.
- The composition of the food must be adjusted to the seafarers' religious beliefs and cultural background.
- The food must be free of charge to the seafarer during the period of service. However, it can be agreed between the parties that the right to free food can be met through the payment of compensating board-wages when the seafarer does not sleep on board.

Order on the hygiene competences of seafarers handling articles of food on board ships

- Persons signing on for a position on a Danish merchant ship involving this person's handling of articles of food on board and not having a certificate of competency as a ship's cook must be able to document competences within self-monitoring of procedures concerning the treatment of articles of food, including critical items to be checked and monitoring procedures, general microbiology, including foodborne diseases, and hygienic principles, including cleaning, personal hygiene and the handling and storage of articles of food.
- The competences can be acquired either as part of a training programme or through a certificate training programme in food hygiene the contents of which is decided by the Danish Veterinary and Food Administration

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where a certificate is acquired upon completion, or through training on board a ship of at least 7 days' duration where, among other things, e-learning is used.

- The master is responsible for the persons handling articles of food on board having documentation of the above-mentioned competences.

Act on the manning of ships and order on the qualification requirements of cooks not holding a Danish certificate of competency as a ship's cook to serve as a ship's cook on board merchant ships registered in the Danish International Ship Register

- A cook prescribed in the minimum safe manning document of a ship must hold a Danish certificate as a ship's cook. Nobody younger than 18 years must serve as a ship's cook.
- In ships registered in the Danish International Ship Register no Danish certificate as a ship's cook is required. Persons can serve in prescribed positions as ship's cooks if they can document apprenticeship in the cooking profession of 48 months, hereof at least 24 months in seagoing ships, or satisfactory completion of a cook's training programme with the relevant contents from a recognised training centre supplemented by service as a cook on board a seagoing ship for at least 5 months. The documentation must be accompanied by an endorsement by the Danish Maritime Authority confirming that the holder can serve as a prescribed cook.
- Persons who have acquired the right to work as a prescribed cook on board Danish ships in accordance with regulations in force before the entry into force of the ILO Maritime Labour Convention retain this right.

Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships

Order on Notice D from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships engaged in domestic voyages

Keeping of stores, etc.

(Notice B, chapter II-3, regulation 11.6) and (Notice D, chapter II-3, regulation 11.6)

- Suitable and sufficient possibilities of storing provisions as well as refrigerating and freezing arrangements must be available for easily perishable articles of food.

Drinking water

(Notice B, chapter II-3, regulation 20.2) and (Notice D, chapter II-3, regulation 17.2)

- It shall be ensured that the drinking water on board (which is used for human purposes) is of a satisfactory quality suitable for the intended purpose. It shall be possible to prove this through regular analyses assessed against international standards.

Cleaning and inspection

(Notice B, chapter II-3, regulation 11.6) and (Notice D, chapter II-3, regulation 11.6)

- Accommodation spaces (including the galley) must be kept clean and proper. Cleaning must take place on a daily basis. They must be used only for goods or stores belonging to the one(s) for whom the room is intended.
- Accommodation spaces must be disinfected to the extent necessary following every contagious disease on board.
- Accommodation spaces in which vermin are found must be cleaned and disinfected immediately.
- The master or the one whom he or she has entrusted with this task must, together with one or more crew members, inspect all accommodation spaces at intervals of no more than one week.
- The result hereof must be entered in the ship's logbook if one is available or otherwise in the annexed file.

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

Act on safety at sea

Order on Notice A from the Danish Maritime Authority, occupational health in ships

Act on safety investigations of marine accidents

- The Danish regulations on occupational health apply to all work carried out on board ships and prescribe that the obligations rest with the shipowners, masters, foremen and other persons carrying out work on board. The regulations implement EU directives on the health and safety of employees during work, including pregnant employees, employees who have just given birth or who are breast-feeding. The regulations concern the planning and arrangement of the work, the performance of the work, training and instructions, control of occupational health, general preventive principles as well as occupational health effects (physical, biological and chemical ones). In addition, there are special regulations on young persons' work on board ships, including certain types of work that must not be carried out by young persons below the age of 18.
- The planning and arrangement of the work presupposes that a workplace assessment is made which must be available in writing to the extent that it is of special importance to health and safety during work. The workplace assessment must, inter alia, be made in consideration of the best possible prevention of accidents or occupational injuries.

Occupational accidents and injuries

- The master of any ship must report occupational accidents and incidents of poisoning that have occurred on board the ship if the accident or the poisoning has led to incapacity for work for one day or more in addition to the day of the incident or if the injured person has not been able to carry out his or her usual work on board for one day or more in addition to the day of the injury.

The safety organisation on board

- In merchant ships with a fixed manning of 4 or more persons, a safety organisation must be established.
- The members of a safety group must have completed a course in occupational health approved by the Danish Maritime Authority.
- The members of the safety organisation must strive to solve health- and safety-related problems on board.
- The safety group must check that the working conditions and the work are arranged and carried out in a manner that is appropriate in terms of health and safety.

Seahealth Denmark, etc.

- Seahealth Denmark has been established the task of which is to further both the physical and mental health and safety of the employees, to prevent occupational health injuries, including occupational accidents, occupational diseases and attrition among those employed on Danish merchant ships and to support the safety organisations of the ships. The tasks of Seahealth Denmark are, inter alia, to identify and assess the occupational health problems of the merchant fleet in cooperation with the shipping company and the safety organisation, to present proposals for improving the conditions of health and safety on board merchant ships and to contribute to the collection and revision of statistical material on the conditions of health and safety on merchant ships. Seahealth Denmark is headed by a board on which shipowners and seafarers are equally represented.

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Investigation of accidents

- Pursuant to the act on safety investigations of marine accidents, a Maritime Accident Investigation Board has been established, which investigates very serious accidents at sea. Other occupational accidents are investigated by the Danish Maritime Authority.

12. On-board medical care (Regulation 4.1)

Act on seafarers' conditions of employment, etc., section 27 – order on seafarers' right to care and order on a special health insurance scheme for seafarers

- All in all, the regulations ensure the seafarer free medical treatment, medicine, etc. during the service on board and during stays in foreign ports. The special health insurance scheme for seafarers includes treatment services corresponding to those applicable in Denmark, but adjusted to the special conditions at sea. During the service on board, the seafarer also has a possibility of receiving financial subsidies from the State for certain types of acute dental treatments.

Order on Notice A from the Danish Maritime Authority, occupational health in ships, chapter A IX B, investigations, medical treatment and ship's medicine

Medical treatment, etc.

- The regulations on medical treatment and ship's medicine apply to seafarers on board all ships with the exception of ships engaged in voyages of no more than half an hour's duration at sea and towboats and other ships navigating port areas. Similarly, the regulations on occupational health apply to all commercial work carried out on board new as well as existing Danish ships.
- The regulations ensure that, in consideration of a ship's trade area, a ship's medicine chest is on board with the prescribed equipment, guidelines and medicine and that the master and another seafarer has completed a medical examiner training programme meeting, inter alia, the requirements of the STCW Convention hereon.
- The medical treatment on board must be arranged and carried out in accordance with the instructions given in the medical book authorised by the Danish Maritime Authority.
- Through Radio Medical Denmark, professional assistance for both Danish and foreign ships free of charge is ensured 24 hours a day.
- The ship's medical records, containing information about examinations, ordination from Radio Medical, treatment and the supply of medicaments, are confidential and handed over to the seafarer when he or she signs off. A copy of the record must be kept on board for a year, and subsequently the copy must be destroyed.
- Seahealth Denmark publishes information and training material about job satisfaction, health prevention and accident prevention for seafarers.

Order on the health service on board ships

- A medical practitioner must be available on board if the number of persons on board exceeds 100. However, this is conditional upon the ship being engaged in voyages abroad of more than three days' duration.

Order on Notice B from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of ships

Order on Notice D from the Danish Maritime Authority, technical regulation on the construction and equipment, etc. of passenger ships engaged on domestic voyages

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- Requirements for the medical treatment on board are stipulated in chapter II-3 of Notice B and Notice D, respectively.
- Notice B applies to new cargo ships with a length (L) of or above 15 metres or with scantlings of or above 100 and to passenger ships engaged in international voyages.
- Notice D applies to all new passenger ships engaged in domestic voyages.
- The provision on medical treatment on board in Notice B is found in chapter II-3 and describes the requirements for a separate sickness bay where one is required.
- However, instead of a sickness bay a treatment room can be established that must be appropriately equipped, including a washbasin and an acute treatment place when each member of the crew has his or her own cabin with associated toilet and shower.

Exemptions and equivalents

- Any exemptions or equivalent solutions in relation to chapter II-3 must, however, be documented on board so that it is possible to verify compliance with the regulations during an inspection in a manner that is easy for the surveyor.

13. On-board complaint procedures (Regulation 5.1.5)

Order on complaints on board Danish ships

- The shipowner is responsible that a written procedure is drawn up for the treatment of employee complaints. It must be stipulated in the complaint procedure that complaints must be given to the seafarer's superior.
- The complaint procedure must ensure that the complaint is promoted without any groundless delay to provide the employee with a reasonable possibility of bringing the complaint further.
- The complaint procedure drawn up must contain protective measures against the risk of personal persecution.
- The procedure must at all times entitle the plaintiff to be accompanied or represented during the complaint procedure.
- All complaints and decisions related to the complaints must be recorded on board and the plaintiff must receive a copy.
- All employees must, as an addition to their employment contracts, be furnished with a copy of the procedures on complaints on board the ship.
- Moreover, reference is made to the order that must be available on board the ship and can be found in an English version on the webpage of the Danish Maritime Authority (www.dma.dk).

14. Payment of wages (Regulation 2.2)

Act on seafarers' conditions of employment, etc., sections 21-26, provisions on the payment of wages to seafarers
Danish law does not regulate the amount of wages and allowances to be paid to a seafarer and any adjustments hereof. Normally, this will be decided by collective agreement between the two sides of industry or by an individual agreement between the seafarer and the employer.

Seafarers' wages

- According to law, a seafarer is entitled to wages during the work, and it is earned on an ongoing basis though the amount of wages is normally fixed at an amount per month.
- Wages normally mean basic wages and increments. To this can be added other types of allowances for special service or for especially hard and burdensome work or the like.

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- Information about wages and allowances must be stated in the seafarer's employment contract or through reference to a collective agreement.
- Wages run from the time agreed by the parties, however not later than from the time when the seafarer starts serving on board or as otherwise stipulated in section 21 of the act.

Payment of wages and monthly statement

- The seafarer's wages must be paid at intervals of no more than 1 month.
- The seafarer can require the wages earned paid in cash only when the ship is in port and, while in the same country, not more frequently than every seventh day.
- Cash payment can be required in the local currency used in the port where the ship is berthed and the exchange rate of the day must be used. The seafarer can also choose to have the wages paid as a special authorisation of payment by the shipping company.
- According to the law, the seafarer must receive a monthly account of the wages earned including allowances, the wages paid and the rate of exchange used if the payment is made in another currency than the one agreed upon.

Transfer of seafarers' wages

- According to the law, a seafarer can require his or her wages paid as monthly allotments to a specific person. However, payment cannot be required according to more than three parallel allotment notes. A seafarer can require all wages or parts hereof transferred to one or more financial institutions in Denmark or abroad.

Prohibition against set-offs in wages

- Without the seafarer's consent, deductions can be made from wages only of amounts for covering liability to pay compensation claims incurred during the service, in addition to such amounts as the shipowner is ordered to withhold pursuant to statutory provisions. Deductions must be made from wages paid to the seafarer rather than from wages paid as allotments unless the seafarer decides otherwise.



Name: Jette Lisbeth Bloch Arrias

Title: Ship Surveyor

Signature:

Place: København

Date: 25-04-2013

(Seal or stamp of the authority, as appropriate)

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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)*:

No equivalency has been granted.

Name:
Title:

Signature:
Place:
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 in Title 3 of the Convention are noted:

No exemption has been granted.

Name:
Title:

Signature:
Place:
Date:

(Seal or stamp of the authority, as appropriate)

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Declaration of Maritime Labour Compliance – Part II

Measures adopted to ensure ongoing compliance between inspections

The following measures have been drawn up by the shipowner, named in the Maritime Labour Certificate to which this Declaration is attached, to ensure ongoing compliance between inspections:

(State below the measures drawn up to ensure compliance with each of the items in Part I)

Minimum age (Regulation 1.1)

- 1 The shipowner checks the seafarer's age by means of official papers of identification and will not employ anybody under the age of 16 for duty on board. The Master takes care that seafarers under the age of 18 are not made to carry out work assumed to be detrimental to the health of youths, and that youths are not exposed to noise or vibrations that may be detrimental to their health. The special rest hour regulations for seafarers under the age of 18 must be observed. To the extent that educational considerations for seafarers under the age of 18 call for their engagement in risky but lawful duties, special precautions must be taken to take the inherent risks into account.

Medical certification (Regulation 1.2)

- 2 The shipowner will check that the seafarer is in possession of a valid health certificate at the commencement of service. The Master will take steps to deal with possible limitations and ensure that the seafarer undergoes a new medical examination as soon as the health certificate expires during service. The Master will inform the shipowner in the event that the seafarer is not capable of carrying out his duties.

Qualifications of seafarers (Regulation 1.3)

- 3 The shipowner will take care, at the commencement of service, that the seafarer is in possession of the qualifications and certificate required by the ship's safe manning certificate and that their time of expiry is sufficiently far advanced. Any questions concerning the validity of STCW certificates or other qualifications are communicated to the shipowner. In accordance with standing orders, personal safety familiarization and ship specific familiarization are given to each seafarer upon joining the ship and before commencing their duties.

Seafarers' employment agreements (Regulation 2.1)

- 4 The shipowner will take care, before commencement of service, that a written contract of employment fulfilling the requirements for contents has been entered into, and that the contract of employment and the documents and references therein referred to will be available on board, and that the
-

contract is supplemented by English translations of standard contracts and terms used if that is deemed necessary. On signing off the seafarer, the shipowner will certify the employment by completing his seaman's book or, on request, a certificate of service in cases where a seaman's book is not prescribed.

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

- 5 The shipowner will take care that private recruitment and placement services that he uses can verify that they operate in accordance with the requirements for such activities as stipulated in international conventions.
-

Hours of work or rest (Regulation 2.3)

- 6 The shipowner will take care that the work hours are planned and the duties performed in such a way that the seafarer will get adequate rest. The shipowner will see to it that the seafarer's rest hours are continuously recorded and monitored and that necessary precautions are taken to prevent violation of the rules concerning rest hours. The official schedule or table of work/rest hours at sea and in port is posted on the noticeboard outside the ship's office. In the event that the schedule is suspended due to emergencies this is recorded in the ship's official log, with a comment included in the seafarer's work/rest hour record.
-

Manning levels for the ship (Regulation 2.7)

- 7 The shipowner will take care that the ship's manning meets the requirements of the ship's safe manning certificate, quantitatively as well as qualitatively. If the ship's activity and the resulting work load should dictate it, the shipowner will see to it that the ship's manning is adjusted to the needs.
-

Accommodation (Regulation 3.1)

- 8 The ship, including its accommodation and day rooms, has been built pursuant to the rules valid prior to 20 August 2013 and no changes to the construction of the accommodation have been made since then. In accordance with standing orders, regular inspections of the cleanliness and general condition of the accommodation are made, and if any deviations are noted they are entered in the ship's log or planned maintenance system, indicating also the remedial measures taken.
-

On-board recreational facilities (Regulation 3.1)

- 9 The shipowner will take care that regular inspection is made of the ship's recreational areas and equipment, which are considered an integral part of the ship's accommodation, cf. point 8. To the extent that welfare activities on board and in port are not arranged by the ship's club, it falls on the shipowner to ensure that a minimum of recreational options are available for the seafarers (viz. TV/film monitor, library, exercise equipment, slop chest, postage and telecommunications etc.).
-

Food and catering (Regulation 3.2)

- 10 The shipowner will take care that the crew is offered good and adequate food and that it is prepared and served under proper hygienic conditions and is handled by persons having the prescribed competencies in food hygiene. The shipowner will take care that the cook responsible for the preparation of food is at least 18 years of age. The shipowner will take care that provisions are stored under secure and hygienic conditions. The shipowner will take care that drinking water on board is adequate, qualitatively and quantitatively.

Health and safety and accident prevention (Regulation 4.3)

- 11 The shipowner will ensure the seafarers' safety and health through a number of precautions incorporated in the special procedures and working instructions forming part of the shipowner's Safety Management System. These procedures enable the Master to maintain the ship in a safety- and health-wise secure condition, and ensure that the work on board can be planned and carried out in a safety- and health-wise secure manner. The procedures and the instructions enable those in charge of the work on board to ensure that the employees are adequately protected against accidents and injurious conditions. At the same time, it enables those in charge, through instruction and supervision, to ensure that the work is carried out in a secure manner under due consideration for risks of accidents and damage to health. Procedures and instructions ensure that the employees on board contribute to making the measures, aimed at protecting them from accidents and injurious influence, work according to plan. Procedures and instructions ensure that everybody on board respect the safety measures taken on board with regard to the ship's seaworthiness and the safety of those on board.

On-board medical care (Regulation 4.1)

- 12 The Master or the medical attendant appointed by him is in charge of medical treatment on board pursuant to the guidelines issued by the DMA. The medical attendant is authorized to give and request necessary assistance, including referrals to doctor and dentist treatment ashore at no cost to the seafarer. All treatments and Medical Request forms are entered into or kept within the control document of the medical chest.

On-board compliant procedures (Regulation 5.1.5)

- 13 The shipowner has established a complaints procedure applicable when a seafarer wishes to lodge a formal complaint over the conditions that the seafarer encounters on board or over the settlement of his wages. The procedure can form part of, but cannot replace, the possibilities for complaint following from other legislation, collective agreements and other agreements. The seafarer shall be advised, not later than on his introduction to the ship, about the shipowner's complaints procedure, which shall equally be displayed at an easily accessible location on board, stating contact information to the relevant authorities and persons on board, who can assist the seafarer with the complaint.

Payment of wages (Regulation 2.2)

14 The seafarer shall receive a statement of earned, paid and outstanding wages in connection with monthly accounts. Unless the statement is prepared on board it shall be mailed to the seafarer or to the Master, who will then hand it to the seafarer.



I hereby certify that the above measures have been drawn up to ensure ongoing compliance, between inspections, with the requirements listed in Part I.

Name of shipowner:¹ _____

Company address: _____

Name of the authorized signatory: _____

Title: _____

Signature of the authorized signatory: _____

Date: _____

(Stamp or seal of the shipowner)¹

The above measures have been reviewed by _____ and, following inspection of the ship, have been determined as meeting the purposes set out under Standard A5.1.3, paragraph 10(b), regarding measures to ensure initial and ongoing compliance with the requirements set out in Part I of the Declaration.

Name: _____

Title: _____

Address: _____

Signature: _____

Place: _____

Date: _____

(Seal or stamp of the authority, as appropriate)

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.

VI - Index of the Collection of Data

1. Minimum age

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2. Medical certification

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5. Use of any licensed of certified or regulated private recruitment and placement service

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6. Hours of work or rest

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8. Accommodation

- 8.1 Procedure for Inspection of the Accommodation
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9. On-board recreational facilities

- 8.1 Procedure for Inspection of the Accommodation
- 8.2 Check list for monthly inspections of accommodation and recreational facilities and check of food supplies
- 1.2 Instructions to the Master

10. Food and catering

- 10.1 Food and Catering - Good and Sufficient Food
- 10.2 Food and Catering - Preparation under Proper Hygienic Conditions
- 10.3 Food and Catering - Drinking Water
- 10.4 Self Assessment - Weekly Report
- 1.1 Manning Procedure
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- 8.2 Check list for monthly inspections of accommodation and recreational facilities and check of food supplies
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11. Health and safety and accident prevention

- 11.1 Risk Assessments
- 11.2 Work Permit System
- 11.3 Notification of Accident at Work Concerning Seafarers and Fishermen
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12. On-board medical care

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- 12.1 User Instructions for the Contents of Ship's Medicine Chest
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13. On-board complaint procedures

- 13.1 Procedure for Handling Complaints on Board
- 4.3 Employee Information
- 1.2 Instructions to the Master

14. Payment of wages

- 14.1 Procedure for Calculation and Payment of Wages
- 1.1 Manning Procedure
- 4.3 Employee Information
- 1.2 Instructions to the Master

VII – Sound advice regarding the process of certification

How do I get started with the certification/survey?

Ships covered by certification must be issued with the following:

- Maritime Labour Certificate.
- Declaration of Maritime Labour Certificate, Part I (Document of Compliance issued by the Danish Maritime Authority).
- Declaration of Maritime Labour Certificate, Part II (Documentation of Compliance issued by the shipowner).

Ships that are to be certified:

Classed cargo ships	Passenger ships engaged in international trade as well as voluntary certification
<p>1. Contact the Danish Maritime Authority at cfs@dma.dk with an application for the issuance of a DMCL, Part I.</p> <p>Forward the following:</p> <p>Application for the issuance of a DMLC, Part I, indicating ship's particulars. Documentation of the ship's exemptions related to accommodation spaces and recreational facilities, if any.</p> <p>Based on the above, the DMA can issue a DMLC, Part I, and the following step be initiated by the shipowner:</p> <p>2. Contact the recognized organization for a survey, DMLC Part II approval and MLC certification.</p> <p>As a minimum, the following should be forwarded to the RO:</p> <p>DMLC, Part I, issued by the DMA. Draft DMLC, Part II. Documents referred to in the DMLC, Part II. Company procedures on the handling of complaints on board.</p>	<p>Contact the Danish Maritime Authority at cfs@dma.dk to arrange for the certification.</p> <p>Forward the following:</p> <p>Draft DMLC, Part II. Documentation of the ship's exemptions related to accommodation spaces and recreational facilities, if any. Documents referred to in the DMLC, Part II. Company procedures on the handling of complaints on board.</p>

Information on the date of registry of the ship according to the Royal Danish Certificate of Nationality.	
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If the documents mentioned below are of relevance to the ship concerned, they must also be forwarded to the Danish Maritime Authority before the survey:

- Samples of the seafarers' working and rest hour forms.
- Documentation if recruitment and placement services are used.
- Drawing of the accommodation in case of new-buildings or in case of major repairs after the entry into force.
- Standard table of the arrangement of the work on board.
- If applicable and used by company standard format of Seafarers Employment Agreement

When the above has been considered by either the Danish Maritime Authority or the classification society, a ship surveyor will visit your ship to inspect whether the ship has implemented the requirements of the Maritime Labour Convention 2006 on board.

If the ship surveyor finds that the ship meets the requirements of the Maritime Labour Convention 2006, the certificate will be issued along with the DMLC, Part I and Part II.

VIII – Traps – do’s and don’ts

Don’t refer to specific documents (SMS procedure 2.4.1) but refer more generically (the company has established procedures).

Don’t refer to specific rules and regulations (Act of seafarers’ conditions of employment article 2) but refer more generically (to comply with the obligations referred to in DMLC part I).

Give thought to how evidence of compliance of each requirement may be provided, but don’t reflect this in the DMLC Part II.

If written evidence of compliance with a specific requirement is deemed necessary, this should be reflected in the procedures supporting the measures described in DMLC part II.

IX – Questions and answers

Questions	Answers
Is it a requirement that the MLC certificate and the declarations of compliance are framed and posted on-board.	The certificate and the declarations shall be easily available. A practical solution could be to frame a copy of the certificate and point out where the officially posted declarations, also available for the crew, can be found (for instance on the bridge or in the mess room).
In the MLC manual numerous references are made to “Instructions to the master (standing orders). Is such an instruction required.	No, it is purely an example of how the master may be given a total overview of his obligations laid down in the procedures detailing the measures contained in DMLC Del II. Obligations the master during inspection are expected to have thorough knowledge of.
Is it recommendable to use ISM/SMS procedures or should one establish a separate MLC system.	If the handling of a specific requirement, such as prevention of work accident is already covered by the ISM/SMS, it would be obvious to refer to this system, but one should carefully consider to include non safety/pollution related subject in its ISM.
Will inspections be performed as independent MLC inspections or in combination with other required (ISM) inspections.	MLC inspections are basically independent, but may to the extent feasible and if the inspecting entity agrees be performed simultaneously and combined with other required inspections.
Must all required documentation be available on board in paper.	No, in general there is no specific requirements to the form of documentation, which may be available only electronically.
How do I make changes to the DMLC Part II after having obtained the MLC certificate.	You can't unless recertified.

X – Useful links

ILO – The official ILO introduction to the MLC where you can find the text of the convention, the various official ILO guidelines and handbooks to assist national authorities on the implementation of the MLC.

www.ilo.org/global/standards/maritime-labour-convention/lang--en/index.htm

DMA – The Danish Maritime Authorities webpage containing MLC related information for owners and seafarers, including the relevant Danish orders and regulations.

www.dma.dk

SHIOWNERS – The Danish Shipowners' Associations webpage containing the MLC Manual and a knowledge sharing feature.

www.shipowners.dk

SEAHEALTH – The Danish maritime occupational health service.

www.seahealth.dk