



MARITIME LABOUR CONVENTION, 2006
Application for Declaration of Maritime Labour Compliance Part I
(FORM NMA-14_DMLC I.2018.Rev.1)

Name of Ship	Official Number	IMO Number
<u>NOTES</u>		
<p>1. This form provides shipowners with a means to apply for issuance of the ship specific DMLC Part I by the Administration after successfully carrying out a gap analysis of the ship and company policies against the national requirements for the 16 areas as detailed in the DMLC for implementation of MLC 2006.</p> <p>2. Any areas where substantial equivalency or exemption may be required should be highlighted to the Administration for consideration and insertion into the ship specific DMLC Part I.</p>		

1. Minimum Age (Regulation 1.1)

The minimum age to be employed for work on board a Nauru flagged vessel is 18 years old.

2. Medical Certification (Regulation 1.2)

- 2.1. Seafarers on board a Nauru flagged vessel shall hold a valid medical certificate proving that they are medically fit for their duties.
- 2.2. Medical certificates issued in accordance to the requirements of the STCW Convention 1978, as amended, or a medical certificate meeting the substance of those requirements, in the case of seafarers not covered by the STCW Convention 1978, as amended, are accepted.
- 2.3. A medical certificate shall be valid for a maximum period of two years except if the seafarer is under the age of 18 years old, in which case the maximum period of validity shall be one year. A certification of colour vision shall be valid for a maximum period of six years.
- 2.4. For urgent cases when the medical certificate has expired, a permit can be applied provided that the medical certificate has not expired for greater than 6 months. Such permit shall not exceed 3 months.

3. Qualifications of Seafarers (Regulation 1.3)

Seafarers shall hold the appropriate training and qualifications, as well as certificate(s) accrediting their professional competences and other qualifications to perform their functions duly issued or endorsed by the Competent Authority in accordance to the International Convention on Standards of Training, Certification and Watchkeeping, 1978, as amended and revised from time to time.

4. Seafarer's Employment Agreements (Regulation 2.1)

- 4.1. Seafarers shall have an employment agreement signed by the seafarer and the shipowner, or a representative that guarantees decent working and living conditions on board the ship, and each shall retain an original copy of the signed agreement for the duration of its term.
- 4.2. All seafarers shall have the opportunity to review the conditions stated on the employment agreement and, if necessary, seek advice before signing.
- 4.3. Shipowners must ensure that clear information as to the conditions of employment can be easily obtained on board by the seafarers concerned, including the ship's master, and that such information, including a copy of the seafarers' employment agreement, is also accessible for review by officers of a competent authority, including those in ports to be visited.

4.4. All employment agreements shall remain in effect even when a seafarer is held captive on or off the vessel as a result of acts of piracy or armed robbery.

5. Use of any Licensed or Certified or Regulated Private Recruitment and Placement Service (Regulation 1.4)

5.1. All seafarers shall have access to an efficient, adequate and accountable system for finding employment on board ship without charge to the seafarer.

5.2. Seafarer recruitment and placement services (SRPS) operating in countries that have ratified to MLC2006 shall be certified to conform to the standards as set out in the Convention.

5.3. Shipowners who use services of SRPS that are not located in countries or territories where the MLC2006 applies are required to demonstrate, as far as practicable, that such services meet the relevant requirements set forth in Regulation 1.4 of Title 1 of the MLC2006, and shall be solely responsible for any detention, as well as any penalties imposed by such detention, by Flag State or Port State, that is the result of the use of a SRPS located in a country where MLC 2006 does not apply.

6. Hours of Work or Rest (Regulation 2.3)

6.1. Shipowners shall ensure that every seafarer is entitled to a minimum number of hours of rest of not less than:

- 10 hours in any 24-hour period; and
- 77 hours in any 7-day period.

6.2. The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length, and the interval between consecutive periods of rest shall not exceed 14 hours.

6.3. The daily records of the resting hours shall be written in the working language or languages of the ship and in English. Each seafarer shall receive a copy of the records pertaining to her or him, which shall be endorsed by the master, or a person authorized by the master and the seafarer. Nonetheless, in passenger ships, the daily records of resting hours can be electronically sent to seafarers, as long as these had been approved by the master or by the person that he authorizes.

7. Manning Levels for the Ship (Regulation 2.7)

Every vessel shall be manned by sufficient crew that is adequate, in terms qualifications, to ensure the safety and security of the vessel and its personnel, under all operating conditions, in accordance with minimum safe manning certificate issued by the Nauru Maritime Administration.

8. Accommodation (Regulation 3.1)

8.1. Shipowners shall ensure that vessels are provided with decent accommodations for seafarers working or living on board, or both, and maintained consistent with promoting the seafarers' health and well-being.

8.2. The provisions of MLC2006 relating to ship construction and equipment apply only to vessels constructed after the date in which the MLC2006 enters into force.

8.3. Ship construction and equipment for vessels constructed before MLC2006 enters into force shall comply with the provisions set out in the Accommodation of Crews Convention No. 92, and the Accommodation of Crews Convention (Supplementary Provisions) No. 133 of the ILO to the extent that they were applicable and practicable.

8.4. The master or the person designated by him shall conduct frequent inspections on board ships to ensure that the accommodation of seafarers is clean, decently habitable and maintained in a good state of repair. The results of each inspection shall be recorded and available for review.

9. On-board Recreational Facilities (Regulation 3.1)

9.1. Shipowners shall provide seafarers with on-board recreational facilities for seafarers working or living on board, consistent with promoting the seafarers' health and well-being.

- 9.2. The provisions of MLC2006 for on-board recreational facilities will be applicable to vessels constructed after the date in which MLC2006 comes into force.
- 9.3. For vessels constructed before MLC2006 enters into force, the provisions for on-board recreational facilities set out in the Accommodation of Crews Convention No. 92, and the Accommodation of Crews Convention (Supplementary Provisions) No. 133 of the ILO shall continue to apply to the extent that they were applicable.

10. Food and Catering (Regulation 3.2)

- 10.1. Shipowners shall provide seafarers, free of charge, with hygienic food and drinking water, of appropriate quality, variety, nutritional value and quantity, and takes into account the differing cultural and religious backgrounds, and the duration and nature of the voyage.
- 10.2. Seafarers employed as ships' cooks responsible for food preparation must be properly trained and instructed.
- 10.3. In accordance with the ongoing compliance procedures, it shall be required that frequent documented inspections be carried out on board ships, by or under the authority of the master, with respect to:
- supplies of food and drinking water;
 - all spaces and equipment used for the storage and handling of food and drinking water; and
 - galley and other equipment for the preparation and service of meals.

11. Health and Safety and Accident Prevention (Regulation 4.3)

Shipowners have the obligation to:

- adopt policies and programmes relating to occupational safety and health management that includes risk evaluation as well as training and instruction of seafarers with the purpose to prevent occupational accidents, injuries and diseases, including measures to reduce and prevent the risk of exposure to harmful levels of environmental factors and chemicals substances, as well as the risk of injuries or diseases that may arise from the use of equipment and machinery on board ships;
- provide seafarers with protective equipment or other accident prevention devices accompanied by provisions on the use of such equipment or protection devices;
- ensure that the machineries used on board are properly guarded and that its use without appropriate safety guards is prevented; and
- ensure that a Safety Committee is established on board a ship that has five or more seafarers.

12. On-board Medical Care (Regulation 4.1)

- 12.1. Shipowners shall ensure that health protection and medical care (including essential dental care) are provided for seafarers working on board vessels taking into consideration cultural and religious backgrounds are maintained which:
- ensures the application to seafarers of any general provisions on occupational health protection and medical care relevant to their duties, as well as of special provisions specific to work on board vessels;
 - gives health protection and medical care as comparable as possible to that which is generally available to workers ashore, including prompt access to the necessary medicines, medical equipment and facilities for diagnosis and treatment and to medical information and expertise;
 - gives seafarers the right to visit a qualified medical doctor or dentist without delay in ports of call, where practicable;
 - ensures that, to the extent consistent with the national law and practice, medical care and health protection services while a seafarer is on board a vessel or landed in a foreign port are provided free of charge to seafarers;
 - are not limited to treatment of sick or injured seafarers but include measures of a preventive nature.

- 12.2. Every vessel shall carry a medicine chest, medical equipment and a medical guide in accordance to international recommendations including the latest edition of the International Medical Guide for Ships and other relevant guides, considering the type of ship, number of persons on board and the nature, destination and duration of voyage, and subject to regular inspection of intervals not exceeding 12 months by the competent authority or competent local authorities providing this service.
- 12.3. Vessels carrying 100 or more persons and normally engaged on international voyages of more than three days' duration shall carry a qualified medical doctor who is responsible for providing medical care. Vessels that do not have a medical doctor shall be required to have at least one seafarer on board who is in charge of medical care and administering medicine as part of their regular duties and has satisfactorily completed training in medical care that meets the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

13. On-board Complaint Procedures (Regulation 5.1.5)

- 13.1. There shall be on board complaint procedures that allow for the fair and effective handling of seafarer complaints alleging violations of the provisions of MLC2006.
- 13.2. Seafarers shall be provided, together with a copy of their seafarers' employment agreement, a copy of the on board complaint procedures applicable to the vessel as prescribed in circular NMA_C14.2018.Rev.0.
- 13.3. Utilization of on board compliant procedures shall not prejudice a seafarer's right to seek redress through conciliation and mediation, arbitration or legal means.
- 13.4. Any victimization of a seafarer for filing a complaint is strictly prohibited. Victimization is understood to mean any adverse action taken or threatened by any person with respect to a seafarer for lodging a complaint which is not manifestly vexatious or maliciously made.

14. Payment of Wages (Regulation 2.2)

Shipowners shall ensure that all seafarers are:

- paid at no greater than monthly intervals and in accordance with their seafarers' employment agreement and any applicable collective agreement;
- given a monthly account of the payments due and the amounts paid, including wages, additional payments and the rate of exchange used where payment has been made in a currency or at a rate different from the one agreed to; and
- allowed to, at the time of their entering employment or during it, to allot, if they so desire, a proportion of their wages for remittance at regular intervals to their families by bank transfers or similar means. Allotments must be remitted in due time and directly to the person or persons nominated by the seafarers.
- continued to be paid wages and provided all entitlements under the employment agreement and relevant collective agreement including payment of allotments as provided above during the entire period of captivity as a result of piracy or armed robbery until the seafarer is released and duly repatriated, or where the seafarer dies while in captivity, until the date of death.

15. Financial Security for Repatriation (Regulation 2.5)

- 15.1. Shipowners shall ensure that all seafarers are covered by a financial security provider for repatriation in the event of abandonment, and the financial security shall cover:
 - Outstanding wages and other entitlements due from the ship owner to the seafarer in accordance with their seafarers' employment agreement and any applicable collective agreement, limited to four (4) months of any such outstanding wages and four (4) months of any such outstanding entitlements;
 - All expenses reasonably incurred by the seafarer, including the cost of repatriation which shall cover travel by appropriate and expeditious means; and
 - The essential needs of the seafarer which includes items such as: adequate food, clothing where necessary, accommodation, drinking water supplies, essential fuel for survival on board the ship,

necessary medical care, passage and transport of personal effects, and any other reasonable costs or charges from the act or omission constituting the abandonment until the seafarer's arrival home.

- 15.2. A certificate or other documentary evidence of financial security issued by a financial security provider shall be posted in a conspicuous place on board and easily available to the seafarers and shall be in English or accompanied by an English translation. If there is more than one financial security provider providing the cover, then the certificate or other documentary evidence of each provider shall be carried on board.

16. Financial Security relating to Shipowners' Liability (Regulation 4.2)

- 16.1. Shipowners shall ensure that all seafarers are covered by a financial security provider for contractual claims which refer to any claim relating to death or long-term disability of a seafarer due to an occupational injury, illness or hazard as set out in the seafarers' employment agreement and any applicable collective agreement.
- 16.2. A certificate or other documentary evidence of financial security issued by a financial security provider shall be posted in a conspicuous place on board and easily available to the seafarers and shall be in English or accompanied by an English translation. If there is more than one financial security provider providing the cover, then the certificate or other documentary evidence of each provider shall be carried on board.

OWNER DECLARATION		
SECTION 1 - Are there any Substantial Equivalencies? No <input type="checkbox"/> Yes <input type="checkbox"/> (please specify below)		
SECTION 2 - Are there any Exemptions required? No <input type="checkbox"/> Yes <input type="checkbox"/> (please specify below)		
I declare that the particulars and information furnished above are correct and true.		
Name & Signature of authorized signatory of Shipowner	Date	Seal or Stamp of Shipowner