



The Republic of Palau



MARITIME LABOUR CONVENTION, 2006 DECLARATION OF MARITIME LABOUR COMPLIANCE – PART 1

(Note: This Declaration must be attached to the ships Maritime Labour Certificate)

Issued under the Authority of
The Government of the Republic of Palau

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

| Name of Ship | IMO Number | Gross Tonnage |
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is maintained in accordance with Standard A5.1.3 of the Convention.

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

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

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| <p>1. Minimum Age (Regulation 1.1)</p> | <ul style="list-style-type: none"> a. Title 7 of the National Code, Section 826 sets minimum age of 16 years. b. Republic of Palau Maritime Regulations, Chapter 7, paragraph 7.3 (b) defines “Night” as the period starting at 20:00 hrs and ending at 06:00 hrs. c. Republic of Palau Maritime Regulations, Chapter 7, paragraph 7.3 (a) restricts night work of a seafarer under the age of 18 except when: <ul style="list-style-type: none"> i) The effective training of the seafarer concerned would be impaired; or ii) The specific nature of the duty or a recognized training program requires that the seafarer performs duties at night and it is confirmed that the work will not be detrimental to his / her health or well-being. |
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| | <p>d. Marine Notice 12-013 Hazardous Work and Consideration of Health and Safety Issues for Seafarers under the Age of 18 states that the engagement of seafarers under the age of 18 in employment or work considered hazardous by the shipowner and/or operator is prohibited and defines “Hazardous Work” as the following:</p> <ul style="list-style-type: none"> i) The lifting, moving or carrying of heavy loads or objects; ii) Entry into boilers, tanks and cofferdams; iii) Exposure to harmful noise and vibration levels; iv) Operating hoisting and other power machinery and tools, or acting as signalers to operators of such equipment; v) Handling mooring or tow lines or anchoring equipment; vi) Rigging; vii) Work aloft or on deck in heavy weather; viii) Night watch duties; ix) Servicing of electrical equipment; x) Exposure to potentially harmful materials, or harmful physical agents such as dangerous or toxic substances and ionizing radiations; xi) The cleaning of catering machinery; and xii) The handling or taking charge of ship’s boats |
| <p>2. Medical Certification (Regulation 1.2)</p> | <ul style="list-style-type: none"> a. Title 7 of the National Code, Section 825 requires that a seafarer who is employed on board to have a medical fitness certificate. b. Republic of Palau Maritime Regulations, Chapter 7, Section 7.4 states that: <ul style="list-style-type: none"> i) All seafarers shall have a medical certificate in accordance with the requirements of the STCW, as amended. In the case of a seafarer not covered by STCW, a similar certificate shall be accepted. ii) Medical Certificate shall be issued by a Qualified Practitioner with Full Professional Independence. iii) An opportunity to have a further examination should be provided to a seafarer who have been refused a certificate or have had a limitation imposed on his ability to work. iv) A medical certificate shall be valid for a maximum period of two years and one year for seafarers under the age of 18. v) A certification of colour vision shall be valid for a maximum period of six years. c. Marine Notice 12-014 – Guidance on Medical Exams and Certificates for Seafarers provides guidelines for medical examinations, model of medical exam and model of Medical Certificate |
| <p>3. Qualifications of Seafarers (Regulation 1.3)</p> | <ul style="list-style-type: none"> a. Title 7 of the National Code, Section 825 requires that a seafarer who is employed on board to have obtained a certificate of proficiency or competency. b. Republic of Palau Maritime Regulations, Chapter 7, Section 7.5 states that: <ul style="list-style-type: none"> i) A seafarer shall not work on a vessel unless he / she is trained as competent or otherwise qualified to perform his duties. ii) A seafarer shall not be permitted to work on a vessel unless he /she has successfully completed training for personal safety on board the vessel. iii) Training and certification in accordance with the STCW shall be considered as meeting the requirements for training and certification of seafarers c. Marine Notice 12-015 – Training and Certification Requirements provides guidelines for training and certification requirements for seafarers on board of Palau registered vessels. |
| <p>4. Seafarers’ Employment Agreement (Regulation 2.1)</p> | <ul style="list-style-type: none"> a. Title 7 of the National Code, Section 853 requires all seafarers to have a Seafarer’s Employment Agreement (SEA). b. Republic of Palau Maritime Regulations, Chapter 7, Section 7.7 states that: <ul style="list-style-type: none"> i) A seafarer working on a Palau registered vessel shall have a SEA providing them with decent working and living conditions on board the vessel. The seafarer shall be given the opportunity to examine and seek advice on the |

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| | <p>agreement before signing</p> <ul style="list-style-type: none"> ii) Measures shall be taken to ensure that the conditions of the employment can be easily obtained by a seafarer and also accessible to the Maritime Labour Inspectors authorized by the Palau Ship Registry Administrator. iii) A seafarer shall have a record of their employment on board the ship in his / her discharge book which shall not contain any statement as to the quality of the seafarer's work or as to his / her wages. <p>c. Maritime Notice 12-016 – Seafarer's Employment Agreement also states that:</p> <ul style="list-style-type: none"> i) The minimum notice period to be given for the early termination of a SEA shall not be shorter than 7 days by either the seafarer or the shipowner. However, a seafarer may terminate the SEA without penalty and with immediate notice on valid compassionate reason. ii) The annual leave in the SEA shall be calculated on the basis of a minimum 2.5 calendar days per month of employment iii) The SEA to include the seafarer's entitlement to repatriation |
| <p>5. Use of Any Licensed or Certified or Regulated Private Recruitment and Placement Service (Regulation 1.4)</p> | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.6 states that:</p> <ul style="list-style-type: none"> i) A shipowner shall only use a Private Seafarer Recruitment and Placement Service (PSRPS) that is licensed or certified or regulated as stated in Standard A1.4 paragraph 2 of the MLC 2006. ii) The employment of a seafarer by a shipowner through the use of PSRPS in countries or territories which MLC 2006 does not apply shall be prohibited unless it can be demonstrated by the shipowner, as far as practicable, that those services meet the requirement of MLC 2006. iii) Cost of obtaining any visa for the seafarer shall be borne by the shipowner. |
| <p>6. Hours of Work or Rest (Regulation 2.3)</p> | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.9 states that the minimum hours of rest shall not be less than:</p> <ul style="list-style-type: none"> i) 10 hours in any 24-hour period; and ii) 77 hours in any 7-day period <p>And defines the "Hours of Rest" as the time outside hours of work, and does not include breaks. The minimum hours of rest may not be divided into 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.</p> <p>b. Marine Notice 12-017 Minimum Hours of Rest also provides provisions for minimum hours of rest, record keeping, call outs, drills and minimum hours of rest for young seafarers.</p> |
| <p>7. Manning Levels for the Ship (Regulation 2.7)</p> | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.13 states that the Republic of Palau requires that all Palau registered vessels shall not be navigated unless it has in its service and on board such complement of officers and crew as is necessary for safe navigation and with due regards to security.</p> <p>b. Marine Notice 12-008 Minimum Manning Requirements for Vessels provides the specific details of the manning requirements including minimum number of deck officers, minimum number of engineers, minimum number of ratings of crew and certified persons proficient in survival craft.</p> <p>c. The Minimum Safety Manning Certificate issued by the Palau International Ship Registry details the minimum manning requirements applicable to the vessel.</p> |
| <p>8. Accommodation (Regulation 3.1)</p> | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.14 states that Seafarer's accommodations are to meet the minimum standards of the Maritime Labour Convention.</p> <p>b. Marine Notice 12-019 – Accommodations, Recreation Facilities, Food, Catering and Water provides for specific requirements regarding</p> |

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| | <p>accommodations for vessels constructed on or after MLC 2006 enters into force.</p> <p>c. Seafarer accommodation in ships constructed before the entry into force of MLC 2006 is to comply with the standards set out in ILO Convention 92.</p> |
| 9. On-board Recreational Facilities (Regulation 3.1) | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.14 states that on-board recreational facilities are to meet the minimum standards of the Maritime Labour Convention.</p> <p>b. Marine Notice 12-019 – Accommodations, Recreation Facilities, Food, Catering and Water provides for specific requirements regarding on-board recreational facilities for ships constructed on or after MLC 2006 enters into force.</p> |
| 10. Food and Catering (Regulation 3.2) | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.15 sets the standards for food, catering and water; and the qualifications of ship's cook.</p> <p>b. Marine Notice 12-019 – Accommodations, Recreational Facilities, Food, Catering and Water provides:</p> <p>i) Specific guidelines for Food, Catering and Water</p> <p>ii) Qualifications of ship's cook which are as follows:</p> <ol style="list-style-type: none"> 1) Served at sea for a minimum period of 6 months, which could be varied to take into account existing relevant qualifications or experience; or 2) Passed an examination at an approved training course for cooks. <p>Notes:</p> <ul style="list-style-type: none"> • The prescribed examination may be conducted and certificates granted either directly by the Palau Flag Administration having provided evidence of completed training by a school for the training of cooks or by the training school itself. • The Palau Flag Administration will recognize certificates of qualification as ships' cooks issued by other Members, which have ratified the Maritime Labour Convention or the Certification of Ships' Cooks Convention, 1946 (No. 69), or other approved body. <p>iii) Specific guidelines on documented inspections by or under the authority of the master, with respect to:</p> <ol style="list-style-type: none"> 1) supplies of food and potable drinking water; 2) all spaces and equipment used for the storage and handling of food and potable drinking water; and 3) galley and other equipment for the preparation and service of meals. |
| 11. Health and Safety and Accident Prevention (Regulation 4.3) | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.18 states that it is the duty of the shipowner to adopt, effectively implement and promote occupational safety and health policies and programs, including risk evaluation, as well as training and instruction of seafarers.</p> <p>b. Marine Notice 12-020 – Shipboard Occupational Health Safety Program and Management provides guidelines for the management of occupational safety and health on board ships and also states the mandatory requirement for every ship which there are five or more seafarers to set up a safety committee to be formed by members of the crew.</p> <p>c. Marine Notice 12-021 – International Safety Management Code provides guidelines on the ISM Code which places the responsibility on the Company that manages the ship to develop and implement adequate controls to address risks to the ship's safety.</p> <p>d. Marine Notice 12-010 – Marine Casualties provides guidelines on the need to report marine casualties including occupational accidents to the</p> |

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| | Administration, so that investigations may be carried out and corrective actions taken to prevent future recurrence. |
| 12. On-board Medical Care (Regulation 4.1) | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.16 states that:</p> <p>i) It is the duty of the shipowner to provide seafarers with health protection and medical care, including essential dental care, while under employment.</p> <p>ii) The seafarer shall have the right to visit a qualified medical doctor or dentist without delay in ports of call, where practicable; and at no cost to the seafarer.</p> <p>iii) The shipowner shall also include measures of a preventive character such as health promotion and health education programmes.</p> <p>iv) A vessel carrying 15 or more seafarers engaged in an international voyage of more than 3 days duration shall be provided with a separate hospital. Vessels engaged in coastal trade and capable of reaching qualified medical care within 8 hours may be exempted from this requirement.</p> <p>v) A vessel carrying 100 or more persons and ordinarily engaged on international voyages of more than 3-day duration shall carry on board a qualified medical doctor who is responsible for providing medical care.</p> <p>vi) A vessel which do not carry a medical doctor shall be required to have one seafarer on board who is in charge of medical care and administering medicine and one seafarer on board competent to provide medical first aid. A single individual may serve in both capacities provided he is certified for both competencies.</p> <p>vii) A vessel shall carry on board a medicine chest, medical equipment, and medical guide. The contents of the medicine chest shall be based on the minimum acceptable recommendations of the ILO or WHO and shall be properly maintained and inspected at regular intervals, not exceeding 12 months. The most recent editions of the International Medical Guide for Ships and the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods shall be carried on board.</p> |
| 13. On-board Complaint Procedures (Regulation 5.1.5) | <p>a. Republic of Palau Maritime Regulations, Chapter 7, Section 7.25 states that the shipowner shall provide for on-board procedures for the fair, effective and expeditious handling of seafarer complaints related to the breaches of the requirements of the Maritime Labour Convention.</p> <p>b. Marine Notice 12-022 – On Board Complaint Procedures provides the guidelines for On-Board Complaint Procedures including the procedures for keeping record of complaints on board, and the decisions on them.</p> |
| 14. Payment of Wages (Regulation 2.2) | <p>a. Title 7 of the National Code, Section 827 requires all seafarers to be paid at no greater than monthly intervals for his work.</p> <p>b. Republic of Palau Maritime Regulations, Chapter 7, Section 7.8 states that any charge for the service to transmit the seafarer’s earnings shall be of reasonable amount, and the rate of currency exchange, shall be at the prevailing market rate or the official published rate and not unfavorable to the seafarer.</p> <p>c. Marine Notice 12-023 Payment of Wages provides guidelines including on calculations and on complaints.</p> |

Signature: _____

Name:

Title:

Place:

Date:

(to be stamped by the Palau International Ship Registry)

Substantial Equivalencies

(Note: Strike out the statement which is not applicable)

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

No equivalency has been granted.

Signature: _____

Name:

Title:

Place:

Date:

(to be stamped by the Palau International Ship Registry)

Exemptions

(Note: Strike out the statement which is not applicable)

~~The following exemptions granted by the Palau Flag Administration as provided in Title 3 of the Convention are noted:~~

No exemption has been granted

Signature: _____

Name:

Title:

Place:

Date:

(to be stamped by the Palau International Ship Registry)