



Marine Notice 07 of 2013

Maritime Labour Convention - Pre Inspection and Certification

Summary

This Notice is to provide advice regarding the inspection and certification requirements of Regulated Australian Vessels which are subject to the Maritime Labour Convention 2006 (MLC).

Certification for MLC compliance can be issued under section 45 of the *Navigation Act 2012* when that Act comes into effect on 1 July 2013.

The *Navigation Act 2012* prohibits owners and masters of Regulated Australian Vessels taking those vessels to sea unless a Maritime Labour Certificate is in place if required by the regulations (being *Marine Order 11 (Living and working conditions on vessels) 2013* (MO11)).

Obtaining a Declaration of Maritime Labour Compliance Part I

MO 11 prescribes which Regulated Australian Vessels will be subject to Convention requirements and establishes those requirements from 20 August 2013. In order to obtain a Maritime Labour Certificate the owners of a Regulated Australian Vessel identified in MO11 will need a Declaration of Maritime Labour Compliance (Part I and Part II) and should make application to their Recognised Organisation (Classification Society) to commence this process.

Once advised of the application AMSA will provide Part I of the Declaration of Maritime Labour Compliance to the Recognised Organisation for the purpose of allowing the Recognised Organisation to assess compliance.

Vessel owners should be familiar with the components of the Declaration of Maritime Labour Compliance Part I prior to making an application for a certificate as this will assist them in the completion of the Declaration of Maritime

Labour Compliance Part II, where they document how they will meet and maintain compliance with the items listed in Part I.

Templates for Declarations of Maritime Labour Compliance Part I and II, and an MLC Guide are available at:

<http://www.amsa.gov.au/MLC/index.asp>

Private seafarer recruitment and placement services

Private seafarer recruitment and placement services that provide seafarers to Australian flagged vessels or which are based in Australia and provide seafarers to foreign flagged vessels will need to tell AMSA before providing such services. After notifying AMSA these seafarer recruitment and placement services agencies will be subject to audit and inspection to ensure that the services are being provided in accordance with the requirements of MO11 and Australia's obligations under Regulation 1.4 of the MLC.

Existing recruitment and placement agencies must contact AMSA prior to 20 August 2013, and all other agencies must do so before they commence providing recruitment services to Australian vessels or foreign flagged vessels from Australia.

Specific guidance is contained at:

<http://www.amsa.gov.au/MLC/index.asp>

Marine Cook

The MLC requires that persons who are employed as a Marine Cook must hold a relevant qualification. To meet this requirement AMSA will issue a Certificate of Proficiency as Marine Cook from 1 July 2013, but will accept applications from those who already meet the requirements prior to this date.

For a seafarer to obtain a Certificate of Proficiency as Marine Cook they must satisfy the following requirements:

1. be at least 18 years old; and
2. have completed:
 - i. a training course in hospitality that AMSA considers provides appropriate training for the performance of the duties or functions of marine cook; or
 - ii. at least 6 months documented qualifying seagoing service as a marine cook before 1 July 2014; and
3. hold a Certificate of Safety Training issued in accordance with Marine Order 3; and
4. hold a Certificate of Medical Fitness issued in accordance with Marine Order 9.

Further information

For further information see:

http://www.amsa.gov.au/Marine_Qualifications/marinequalifications.asp

For further information contact the MLC implementation project team at

LabourConventions@amsa.gov.au