



(Annex 1 to CH 43-0, Rev. Jan 2013)

**Maritime Labour Convention, 2006**

**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:

**Swiss Maritime Navigation Office at Basel,**

an Office of the Federal Department of Foreign Affairs at Bern

*(competent authority as defined in Article II, paragraph 1(a), of the Convention)*

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

Name of ship	IMO number	Gross tonnage

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

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

- (a) the provisions of the Maritime Labour Convention 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 are provided where necessary;
- (c) the details of any substantial equivalencies under Article VI, paragraphs 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 also referenced under the requirements concerned.

**1. Minimum age (Regulation 1.1)**

- Minimum age at sea: (Navigation Ordinance, Art. 16.2)  
The Navigation Ordinance will be amended within short by the Chancellery of the Confederation, as soon as the Maritime Labour Convention, 2006, enters into force.
- Hazardous work (Circular N° CH 43-5)
- Night work (MLC A1.1.2 and Navigation Ordinance, Art. 28)
- The Navigation Ordinance will be amended within short by the Chancellery of the Confederation, as soon as the Maritime Labour Convention, 2006, enters into force.

**2. Medical certification (Regulation 1.2)**

- Required documents for seafarers (Navigation Act, Art. 63, Navigation Ordinance, Art. 17.1)
- Medical certificate, prescribed form (Navigation Ordinance, Art. 17.2). Until the implementation by the Swiss Administration of the International Medical Certificate agreed by ILO and IMO, vessels flying the Swiss Flag may use an alternative format of

the medical certificate with similar content to the Swiss Medical Certificate of Fitness, under approval by the Swiss Maritime Navigation Office.

- Guidance on Medical Exams and Certificates for Seafarers (see Homepage SMNO, downloads, mariners medical certification for serving on Swiss seagoing ships)

### **3. Qualification of seafarers (Regulation 1.3)**

- Required documents for seafarers (Navigation Ordinance, Art. 20)
- Training and Qualifications (Navigation Ordinance, Art. 20.3)
- STCW Convention 1978, as amended

### **4. Seafarers' employment agreements (Regulation 2.1)**

- Seafarer Employment Agreements (Navigation Act, Art. 68-70)
- Seafarer's Identification and Record Books (Navigation Act, Art. 66)
- Grounds for discharge (Navigation Act, Art. 77)
- Certificate of Sea Service (Navigation Act, Art. 80)
- Repatriation (Navigation Act, Art. 82-83 and Circular N° CH 43-4)

### **5. Recruitment and placement service RPS (Regulation 1.4 and Regulation 5.3)**

- Use of any licensed or certified or regulated private recruitment service (Navigation Act, Art. 65 and Circular N° CH 43-2).
- RPS having their activities in a Country that has not ratified the MLC must submit a Document of Compliance to the requirements of the Maritime Labour Convention, 2006, issued by a major Class Registry (member of IACS).

### **6. Hours of Work and Hours of Rest (Regulation 2.3)**

- Minimum hours of rest (Navigation Ordinance, Art. 23.4, 30.2, 31.2, Navigation Act, Art. 53.2)
- Individual records of hours of rest for all seafarers including Master are maintained on board ship (Circular N° CH 43-3).
- However in accordance with the Collective Agreement of Employment (CAE) concluded between the Swiss Shipowners Association and the Trade Union NAUTILUS INTERNATIONAL, Switzerland, dated 28th October 2011, exemptions to the minimum hours of rest are permitted (Manila Exceptions) :

In application of STCW A-VIII/1.9, the Administration allows exceptions from the required daily and weekly hours of rest:

- a) 7 Day Exception

The minimum rest hours of 77 hours in any 7-day period may be reduced to not less than 70 hours in any 7 day period. Such exceptions shall not be allowed for more than two consecutive weeks. The intervals between two periods of exceptions on board shall not be less than twice the duration of the exception.

- b) 24 Hours Exception

The minimum of 10 hours of rest in any 24-hours period may be divided into no more than three periods, one of which shall be at least 6 hours in length, and neither of the other two periods shall be less than one hour in length. The intervals between consecutive periods of rest shall not exceed 14 hours. Exceptions shall not extend beyond two 24-hour periods in any 7-day period.

### **7. Manning levels for the ship (Regulation 2.7)**

Document of Safe Manning (Navigation Act, Art. 47) (including cook, if required)

### **8. Accommodation (Regulation 3.1, 3.2)**

- Keel laying of ship, applicable Convention (Navigation Ordinance, Art. 13, Art. 35, Circular N° CH 43-6)

- Accommodations, Recreational Facilities, Food, Water and Catering (Navigation Ordinance, Art. 13, 33, 34, 35)
- 9. On-board recreational facilities (Regulation 3.1)**  
Recreational Facilities (Navigation Ordinance, Art. 12)
- 10. Food and catering (Regulation 3.2)**
- Food, Water and Catering (Navigation Ordinance, Art. 33)
  - Food handling, Storage and Preparation of Food (Navigation Ordinance, Art. 33)
  - Qualification of Cooks (Navigation Ordinance, Art. 32.2 and Circular N° CH 43-6).
- 11. Health and Safety, and Accident Prevention (Regulation 4.3)**
- Marine casualty investigations (Navigation Act Art. 57, Circular N° CH 43-10 Examining Magistrate, Homepage SMNO – Extranet Reeder – Preliminary Information and Notification on Marine Incident or Casualty)
  - Reports on Marine Casualties or Incidents (Navigation Act, Art. 119 et sqq.)
  - Master's Duties and Responsibilities for Accident Prevention
  - Health and Safety Protection and Accident Prevention (Circular N° CH 43-7, International Safety Management (ISM) Code)
  - Hazardous Work and Consideration of Health and Safety Issues for Seafarers under the Age of 18 (Circular N° CH 43-5)
  - Guidelines on the Basic Elements of a Shipboard Occupational Health and Safety Program.
- 12. On-board Medical Care (Regulation 4.1)**
- Medical Care of Officers and Crew
  - Hospital
  - Standard of Competence for Medical First Aid/Medical Care (STCW)
  - Medical Chest (SOLAS)
  - Medical Care on Board Ship and Ashore
  - Record keeping and Responsibilities and Training for Medical Care
  - Guidance to the International Medical Guide for Ships and List of recommended Medicine and Equipment (Circular N° CH 29 and N° CH 29S)
  - In application of the Federal Law on Navigation under the Swiss Flag and its Ordinance (Art. 42 and Specimen Contract Art. 7) and the Collective Agreement of Employment CAE concluded between the Swiss Shipowners Association and the Trade Union Nautilus International, Switzerland Office, dated 28th October 2011, Art. 11.8, as well as in application of MLC A4.1.1 (d), the Seafarer may be called to support himself up to 20% of the treatment expenses in case of illness. The crewmember's own contribution may not exceed half of one month's basic wage. A franchise of US\$ 30 per case of illness can be debited to the Seafarer.
- 13. On-board Complaint Procedures (Regulation 5.1.5)**
- On-board Complaint procedure, conciliation, mediation and arbitration of labour disputes, differences or grievances (Navigation Ordinance, Art. 37, Circular N° CH 43-1)
  - On-board Complaint Procedures (Navigation Ordinance, Art. 37)
- 14. Payment of Wages (Regulation 2.2)**
- Payment of wages (Navigation Act, Art. 74.2)
  - Shipboard wages accounts (Navigation Act, Art. 76)
  - Payment of Overtime (Navigation Ordinance, Art. 30, 31, CAE)
  - Applicable minimum wage scale (CAE)

## Substantial equivalencies

The following substantial equivalencies, as provided under Article VI, paragraphs 3 and 4, of the Convention, except where stated above, are noted:

### **Ships cooks (Standard A3.2., 3 to 6)**

Ships cooks who have served in that function for more than 12 months within the last three years on board oceangoing ships prior to the entry into force of the MLC will obtain an attestation from either the national administration or from the Flag State, and such an attestation may be deemed to satisfy the requirements of Guideline B3.2.2.

For ships with crews less than 10 and for exceptional situations (Standard A3.2.5 and A3.2.6), Seafarers may obtain during their working period on board a training and instruction for a function as cook for small crews or as "emergency cook".

## Exemptions

The following exemptions granted by the competent authority as provided 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)