



Maritime Labour Convention, 2006

Declaration of Maritime Labour Compliance – Part I

This Declaration must be attached to the ship's Maritime Labour Certificate

Issued under the authority of the Government of Norway by

the Norwegian Maritime Authority

With respect to the provisions of the Maritime Labour Convention, 2006 (also referred to below as MLC, 2006 or the 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 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 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 referenced under the requirements concerned.

Name:

Title:

Signature:

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Explanatory Note to the national references in the Declaration of Maritime Labour Compliance – Part I

This explanatory note, which does not form part of the Declaration of Maritime Labour Compliance – Part I, is intended as a general guide to the Declaration:

The Norwegian provisions implementing the provisions of the MLC, 2006 are referenced below under each of the 16 paragraphs of the Declaration. Explanations concerning the content of the Norwegian provisions are provided where necessary. This includes information on how e.g. “night” in paragraph 1 – Minimum age – is defined in Norwegian law, in accordance with Standard A1.1 paragraph 2 of the MLC, 2006.

1. Minimum age (Regulation 1.1)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 18 – Minimum age:
Minimum ages are those referred to in the Convention.

Regulations of 25 April 2002 No. 423 on work by and placement of young people on Norwegian ships:

- Chapter 3 – Provisions relating to the working time of young people:
 - Section 10 paragraphs 1 and 3 – Prohibition of night work:
For the purpose of this requirement, “night” is defined as the period starting at 20:00 hrs and ending at 08:00 hrs. Young people under the age of 18 must not work between 20:00 hrs and 08:00 hrs unless the person in question gets at least nine consecutive hours of leisure time in this period. However, this shall not apply to work as provided in Regulations of 27 June 2007 No. 705 on hours of work and rest on board Norwegian passenger and cargo ships, etc. section 6, stating that the master may require a seafarer to perform any working hours necessary for the safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. The same may apply concerning the enforcement of customs laws, as well as quarantine and other health related provisions.

The Norwegian Maritime Authority may grant exemption from the prohibition against night work for young people under the age of 18, where this is necessary for the vocational training of a young person and the work is carried out under the supervision of the master, a person authorised by the master, or a safety representative.

- Section 8 – Prohibition against hazardous work:
Young people under the age of 18 shall not carry out hazardous work. Examples of hazardous work restricted to 18-year-olds or over are listed in section 8.

The Norwegian Maritime Authority may grant exemption from the provisions of section 8 where this is necessary for the vocational training of a young person, and the work is carried out under the supervision of the master, a person authorized by the master, or a safety representative.

2. Medical certification (Regulation 1.2)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 17 – Health requirements

Regulations of 5 June 2014 No. 805 on medical examination of employees on Norwegian ships and mobile offshore units:

- Chapter 2 – Medical certificate requirement, validity, etc.:
 - Section 4 paragraphs 1, 2, 3 and 5 – Medical certificate requirement:
Any employee commencing service on board shall have a medical certificate.

A medical certificate issued in accordance with the medical certificate requirements of any EEA country satisfies the requirement of the first paragraph when the medical certificate is issued in an EEA country.

Employees may have a medical certificate issued by flag states approved by the Norwegian Maritime Authority.

For employees holding medical certificates that expired up to a month before commencing service on board, the issuance of a new medical certificate may be postponed when it cannot reasonably be obtained without

delaying the vessel. A new medical certificate shall be presented at the ship's next port of call where the medical examination can be performed in accordance with the requirements of the Regulations, but not later than six weeks after the employee's commencement of service. Where possible, a time limited medical certificate shall be produced to document that the employee's health is satisfactory.

- Section 5 paragraphs 1 through 3 – Validity of medical certificates:

A medical certificate shall be valid for two years. Medical certificates issued to employees under 18 years of age shall be valid for one year.

If the medical certificate expires while the ship is at sea, the medical certificate shall continue in force until the next port of call where a medical examination can be performed in accordance with the requirements of the Regulations.

The medical certificate will nevertheless no longer be valid if the period of validity expired more than three months earlier.

- Section 10 paragraph 1 – Issue of medical certificate:

When the employee satisfies the requirements of the Regulations, the seafarer's doctor shall issue a medical certificate on the form prescribed by the Norwegian Maritime Authority.

3. Qualification of seafarers (Regulation 1.3)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 16 – Qualification requirements and personal certificates.

Regulations of 22 December 2011 No. 1523 on qualifications and certificates for seafarers.

4. Seafarers' employment agreements (Regulation 2.1)

Act of 21 June 2013 No. 102 related to employment protection etc. for employees on board ships (Ship Labour Act):

➤ Chapter 3 – Appointment etc.:

- Section 3-1 – Requirements regarding a written contract of employment:

Section 3-1 may be derogated from in collective bargaining agreements for ships registered in the Norwegian International Ship Register (NIS), with the exception of the requirement for a written agreement which shall include information on factors of major significance for the employment relationship, cf. Act of 12 June 1987 No. 48 relating to a Norwegian International Ship Register (NIS) section 8.

- Section 9-6 paragraph 2 – Rules to be available to the crew:

A copy of the employee's employment agreement and of collective bargaining agreements forming part of the employment agreement shall also be available on board. The same applies to a copy of contracts for other persons working on board.

➤ Chapter 5 - Termination of employment relationship:

- Section 5-2 – Periods of notice of termination:

Section 5-2 paragraphs 1 through 3 may be derogated from upon written agreement, cf. paragraph 6. Nevertheless, shorter periods of notice may only be agreed upon in collective bargaining agreements or after notice of termination has been given. The agreed period of notice to be given may in no case be shorter for the employer than for the employee.

The periods of notice stipulated in section 5-2 paragraph 1 second sentence and paragraphs 2 and 3 may be derogated from in collective bargaining agreements for ships registered in the Norwegian International Ship Register (NIS), cf. Act of 12 June 1987 No. 48 relating to a Norwegian International Ship Register (NIS) section 8 paragraph 1.

- Section 5-7 – Protection against dismissal in the event of illness or injury:

Section 5-7 may be derogated from in collective bargaining agreements for ships registered in the Norwegian International Ship Register (NIS), cf. Act of 12 June 1987 No. 48 relating to a Norwegian International Ship Register (NIS) section 8 paragraph 1.

- Section 5-16 – References:

An employee who leaves his or her employment after lawful dismissal is entitled to a written reference from the employer. The reference shall state the employee's name, date of birth, the nature of the work and the duration of employment.

Regulations of 25 November 1988 No. 940 on supervision of maritime service:

- Section 5 – Issue of sea service book and record of service:

To Norwegian nationals, a sea service book shall be issued upon application. To persons other than Norwegian nationals, a record of service shall be issued upon application.

Regulations of 19 August 2013 No. 1000 on employment agreement and pay statement, etc.:

- Section 2 – The employment agreement's content, etc.

- Section 3 – Form of employment agreement

- Section 5 – Written pay statement

- Section 6 – Transitional provisions:

The requirement to use the form of employment agreement containing the points of the Regulations section 2 first paragraph subparagraphs h), i) and j), applies to employment agreements entered into on or after 20 August 2013. The same applies to the requirement for information about birthplace pursuant to section 2 first paragraph subparagraph a).

The employer shall in every case ensure that the rights pursuant to the Regulations section 2 first paragraph are fulfilled, and these rights shall be specified in the employment agreement or in an appendix thereto.

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

Act of 21 June 2013 No. 102 related to employment protection etc. for employees on board ships (Ship Labour Act):

➤ Chapter 2 – Obligations of employer and company etc.:

- Section 2-4 paragraph 1:

If the employer is someone other than the company, the company (i.e. the shipowner) has a duty to see to that provisions laid down in and pursuant to the Act or in the employment agreement are complied with, with regard to employees working on board the ship.

➤ Chapter 3 – Appointment etc.:

- Section 3-9 – Using recruitment and placement services.

Regulations of 19 August 2013 No. 999 on the use of recruitment and placement services on ships:

- Section 3 – Employer's duties.

6. Hours of work or rest (Regulation 2.3)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 23 – Working hours

- Section 24 – Hours of rest.

Regulations of 27 June 2007 No. 705 on hours of work and rest on board Norwegian passenger and cargo ships, etc.:

➤ Chapter 2 – Provisions for working hours and hours of rest:

- Section 4 – Working hours

- Section 6 – Extra work for reasons of safety

- Section 7 – Reduction of night work for young persons

- Section 8 – Hours of rest:

The Norwegian Maritime Authority has opted to establish a minimum hours of rest standard for the regulation of hours of work and rest in accordance with the MLC, 2006 Standard A2.3 paragraph 5 (b).

➤ Chapter 3 – Shipboard working arrangements and registration of hours of rest:

- Section 9 – Shipboard working arrangements

- Section 10 – Recording using registration form and the right to receive information

- Section 11 – Form for shipboard working arrangement and registration form, etc.

- Section 12 – Keeping and endorsement of registration forms, etc.

7. Manning levels for the ship (Regulation 2.7)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Chapter 3 – Technical and operational safety:
 - Section 15 – Manning and watchkeeping

Regulations of 18 June 2009 No. 666 on the manning of Norwegian ships:

- Section 10 – Specification of crew (Minimum Safe Manning Document):
Ships to which these Regulations apply shall be provided with a *Specification of Crew*, issued by the Norwegian Maritime Authority, containing information about the crew's size, composition, qualification requirements and about operation or trade area.
- Section 13 – Manning during a transit:
When the ship is not carrying cargo, passengers or is on a non-commercial voyage, the company may determine the manning level in agreement with the master. The manning shall in such cases be justifiable in terms of safety.

8. Accommodation (Regulation 3.1)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 25 – Living and recreational environment.

Regulations of 21 April 2017 No. 515 on accommodation, recreational facilities, food and catering on ships

- Chapter 2 – General provisions on documentation and accommodation
 - Sections 7 through 12, and section 16 paragraphs 1 and 2
- Chapter 3 – Provisions on accommodation for ships the keel of which is laid or which are at a similar stage of construction on or after 20 August 2013
- Chapter 4 – Provisions on accommodation for ships of 50 gross tonnage and upwards, the keel of which was laid or which were at a similar stage of construction from 1 November 1992 up to 20 August 2013
- Chapter 5 – Provisions on accommodation for ships of 50 gross tonnage and upwards, the keel of which was laid or which were at a similar stage of construction before 1 November 1992
- Chapter 6 – General provisions on food, catering and cleaning, etc.
 - Section 49 – Cleaning and hygiene in the galley
 - Section 50 – General cleaning and maintenance on board.

Regulations of 9 March 2001 No. 439 on medical supplies on ships:

- Chapter IV – Sick-room, doctor on board:
 - Section 14 and section 15 paragraph 3.

9. On-board recreational facilities (Regulation 3.1)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 25 – Living and recreational environment.

Regulations of 21 April 2017 No. 515 on accommodation, recreational facilities, food and catering on ships

- Section 13 – Recreation rooms, office and recreational facilities
- Section 16 paragraph 3 – Lockers, protective equipment and access to open deck.

10. Food and catering (Regulation 3.2)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 26 – Catering:
Seafarers on board a ship shall be provided with food free of charge during the period of engagement.

Regulations of 21 April 2017 No. 515 on accommodation, recreational facilities, food and catering on ships

- Chapter 2 – General provisions on documentation and accommodation
 - Section 14 – Galley

- Section 15 – Provision rooms, cold store and freezer rooms
- Chapter 6 – General provisions on food, catering and cleaning, etc.
 - Section 45 – Diet and hygiene
 - Section 46 – Drinking water
 - Section 47 – Manuals and other information.

Regulations of 22 December 2011 No. 1523 on qualifications and certificates for seafarers

- Section 52 – Qualification requirements for ships' cooks
- Section 53 – Dispensation for ships' cooks.

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

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 21 – Safety devices and equipment
- Section 22 – The arrangement and carrying out of work on board
- Section 29 – Obligations of the master
- Section 30 – Obligations for other persons who are working on board.

Regulations of 1 January 2005 No. 08 on the working environment, health and safety of workers on board ship:

- Chapter 1 – General provisions:
 - Section 1-3 paragraphs 1, 3 and 4 – Duties
 - Section 1-4 – Duties concerning safety and health in other activities on board
 - Section 1-6 – Safety Management System
- Chapter 2 – Provisions concerning the working environment, safety and health:
 - Sections 2-1 through 2-7
- Chapter 3 – Personal protective equipment:
 - Section 3-1 and sections 3-3 through 3-5
- Chapter 4 – Work equipment:
 - Sections 4-3 through 4-7
- Chapter 5 – Safety representatives and working environment committees:
 - Sections 5-1 and 5-2, 5-6 through 5-8, 5-11 and 5-14
- Chapter 6 – Workers' duty to cooperate
- Chapter 7 – Special provisions concerning the manual handling of objects
 - Sections 7-3 and 7-4
- Chapter 8 – Special provisions concerning workers who are pregnant, have recently given birth and are breastfeeding:
 - Sections 8-3 through 8-5
- Chapter 9 – Special provisions concerning measures for safety and protection:
 - Sections 9-1 through 9-4
- Chapter 10 – Ban on the use of asbestos and certain noxious and health hazardous substances:
 - Sections 10-1 and 10-2
- Chapter 11 – Provisions on the protection of workers against exposure to chemicals and biological agents:
 - Sections 11-3 through 11-11
- Chapter 12 – Special provisions concerning the protection of workers against exposure to chemicals
- Chapter 13 – Special provisions concerning the protection of workers against exposure to biological agents:
 - Sections 13-2 through 13-6
- Chapter 14 – Provisions concerning the protection against mechanical vibration:
 - Sections 14-6 through 14-13
- Chapter 15 – Provisions concerning the protection against noise
- Chapter 16 – Provisions concerning the protection against electromagnetic radiation:
 - Sections 16-4 through 16-10.

Regulations of 25 April 2002 No. 423 on work by and placement of young people on Norwegian ships:

- Chapter 2 – Protection of young people at work:
 - Section 5 and sections 8 through 10.

The Norwegian Maritime Code of 24 June 1994 No. 39:

- Section 475 – Duty to notify.

Regulations of 27 June 2008 No. 744 on the duty to report accidents and other incidents at sea:

- Chapter 2 – Notifications:
 - Sections 4 and 5
- Chapter 3 – Reports:
 - Section 6.

12. On-board medical care (Regulation 4.1)

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 27 – Medicaments and treatment of sick persons.

Act of 21 June 2013 No. 102 related to employment protection etc. for employees on board ships (Ship Labour Act):

- Chapter 8 – The company's and master's duties related to care
 - Section 8-1 paragraphs 1 through 4 – Care of sick and injured.

Regulations of 9 March 2001 No. 439 on medical supplies on ships:

- Chapter II – Responsibility and control:
 - Section 5
- Chapter III – Requirements for ships' medical supplies
- Chapter IV – Sick-room, doctor on board:
 - Section 15 paragraphs 1 and 2 – Doctor on board
- Chapter V – Requisitioning of medical supplies to ships:
 - Section 16
- Chapter VI – Storage of medical supplies on ships
- Chapter VII – Dispensing and checking of medical supplies on ships
- Chapter VIII – Medical advice, education, training, handbooks:
 - Sections 25 and 26.

Regulations of 22 December 2011 No. 1523 on qualifications and certificates for seafarers:

- Section 49 – First Aid
- Section 50 – Medical Care.

13. On-board complaint procedures (Regulation 5.1.5)

Act of 21 June 2013 No. 102 related to employment protection etc. for employees on board ships (Ship Labour Act):

- Chapter 9 – The service on the ship
 - Section 9-7 paragraphs 1, 2, 3 and 5 first sentence – Right to lodge complaints.

Act of 16 February 2007 No. 9 relating to ship safety and security:

- Section 71a – Right to lodge complaints and protection against retaliation.

Regulations of 19 August 2013 No. 998 on the right to lodge complaints for persons working on board ship.

14. Payment of wages (Regulation 2.2)

Act of 21 June 2013 No. 102 related to employment protection etc. for employees on board ships (Ship Labour Act):

- Chapter 4 – Salary, etc.
 - Section 4-1 – Calculation of salary
 - Section 4-2 – Payment of salary and holiday pay
 - Section 4-3 – Deductions from salary and holiday pay.

15. Financial security for repatriation (Regulation 2.5)

Act of 21 June 2013 No. 102 related to employment protection etc. for employees on board ships (Ship Labour Act):

- Chapter 4 – Salary, etc.
 - Section 4-7 – Company’s obligation to furnish a guarantee.

Regulations of 19 December 2017 No. 2293 on financial security related to the entitlements of abandoned employees on Norwegian ships

16. Financial security relating to shipowners’ liability (Regulation 4.2)

Act of 21 June 2013 No. 102 related to employment protection etc. for employees on board ships (Ship Labour Act):

- Chapter 4 – Salary, etc.
 - Section 4-7 – Company’s obligation to furnish a guarantee.

Regulations of 18 February 2005 No. 145 on guarantee for social security entitlements for employees on Norwegian ships

Substantial equivalencies

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

Substantial equivalencies for item 4; Seafarers' employment agreements (Regulation 2.1):

MLC, 2006 Standard A2.1.1.a requires that the employment agreement is signed by both the seafarer and the shipowner or a representative of the shipowner. The Norwegian legislation differs from this requirement. However, the Norwegian legislation described below is substantially equivalent to the mentioned requirement.

Act of 21 June 2013 No. 102 related to employment protection etc. for employees on board ships (Ship Labour Act):

- Chapter 2 – Obligations of employer and company etc.
 - Section 2-1 – The employer
 - Section 2-2 – General obligations and responsibilities of the employer
 - Section 2-3 – The company
 - Section 2-4 – General obligations and responsibilities of the company etc.:
The company (i.e. shipowner) shall see to that the seafarer has an employment agreement signed by both the seafarer and the employer. The company shall also ensure that the employment agreement is in accordance with the requirements in Standard A2.1 and that the particulars in the employment agreement are being fulfilled by the employer.

Regulations of 19 August 2013 No. 1000 on employment agreement and pay statement, etc.:

- Section 2 – The employment agreement's content, etc.:
The seafarer and the employer or a representative of the employer shall sign the employment agreement. If the employer is someone other than the company, the employer shall, in connection with the entering into of the employment agreement, inform the employee in writing as to who the company is. If it at the time of the entering into of the agreement is not clear who the company is, the employer shall inform the employee in writing as soon as this information is known to the employer.

MLC, 2006 Standard A2.1.4 sub-paragraphs (f), (h) and (i) require that the employment agreement shall contain the amount of paid annual leave or, where applicable, the formula used for calculating it; the health and social security protection benefits to be provided to the seafarer by the shipowner; and the seafarer's right to repatriation. The Norwegian legislation differs from these requirements. However, the Norwegian legislation described below is substantially equivalent to the mentioned requirements.

Regulations of 19 August 2013 No. 1000 on employment agreement and pay statement, etc.:

- Section 6 – Transitional provisions:
The requirement to use the form of employment agreement containing the points of section 2 paragraph 1 of the Regulations sub-paragraphs h), i) and j), applies to employment agreements entered into on 20 August 2013 or later. The same applies to the requirement for information about birthplace pursuant to section 2 first paragraph, subparagraph a).

The employer shall in every case ensure that the rights pursuant to section 2 first paragraph are fulfilled, and these rights shall be specified in the employment agreement or in an appendix thereto.

The company's responsibilities concerning the employment agreement are stipulated in Act of June 2013 No. 102 related to employment protection etc. for employees on board ships (The Ship Labour Act) section 2-4.

Substantial equivalencies for item 8; Accommodation (Regulation 3.1):

MLC, 2006 Standard A3.1 requires inter alia that there are sleeping rooms, recreation rooms, galley, mess rooms, and sanitary facilities on board. The Norwegian legislation differs from this requirement. However, the Norwegian legislation described below is substantially equivalent to the mentioned requirement.

Regulations of 21 April 2017 No. 515 on accommodation, recreational facilities, food and catering on ships:

- Section 7 paragraph 2 – General requirements for accommodation
For cargo ships of less than 500 gross tonnage and passenger ships, where the working hours arrangement is such that the rest periods are effected ashore outside of own residences, the sleeping rooms, day rooms, galley, mess, toilets and bathrooms shall be arranged in one location ashore. Accommodation that is arranged in one location ashore shall satisfy

the standard as required by the Regulations with regard to number, size, outfitting, ventilation, heating and lighting. Even if the rest periods are effected ashore, there shall be restrooms and toilets on board.

The reasons for the solution being substantially equivalent, are that the persons working on board ships where the working hours arrangement is such that the rest periods are effected ashore outside of own residence, are given access to accommodation facilities ashore that are at least equivalent to the MLC's requirements for accommodation facilities on board.

Substantial equivalencies for item 11; Health and safety and accident prevention (Regulation 4.3):

MLC, 2006 Standard A4.3.2.d requires inter alia that a safety committee is established on board a ship on which there are five or more seafarers. The Norwegian legislation differs from this requirement. However, the Norwegian legislation described below is substantially equivalent to the mentioned requirement.

Regulations of 1 January 2005 No. 08 on the working environment, health and safety of workers on board ship:

- **Chapter 5 – Safety representatives and working environment committees:**
One safety representative shall be elected on vessels having 3-7 workers on board, unless a majority of the workers decides that safety and environmental work on board shall be ensured without an elected safety representative. There shall be at all times not less than one safety representative on vessels having 8-14 workers; two safety representatives on vessels having 15-39 workers; and three safety representatives on vessels having not less than 40 workers. On vessels required to have a safety representative, and having not less than eight workers on board, a working environment committee shall be established.

- **Chapter 2 – Provisions concerning the working environment, safety and health:**
Hazards on board shall be identified. When a hazard has been identified, an assessment of the risk represented by the hazard shall be made. The measures and working methods applied shall ensure the best possible level of protection and a continuous improvement of the safety and health of workers, and shall be integrated in all activities on board. Planning and assessment of the working environment and implementation of the necessary preventive measures shall take place in cooperation with the workers. Workers or their safety representative shall be consulted and have the right to make proposals in connection with any issue which may affect their health or safety. It shall be ensured that workers are given and have understood the necessary information about safety and health hazards. Documentation concerning risk assessments conducted to uncover risks to the safety and health of workers shall be available at all times to workers or their safety representative. Workers shall be informed of all measures taken to improve safety and health on board. Every individual worker shall receive the necessary training to be able to carry out his/her work in a safe and proper manner; before being given access to areas involving a serious or special risk; and when new technology is introduced. Training shall be repeated regularly, and in the case of a modified or new risk. Training completed shall be documented in writing.

Name:

Title:

Signature:

Place:

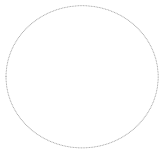
Date:

(Seal or stamp of the authority, as appropriate)

Exemptions

The following exemptions granted by the Norwegian Maritime Authority as provided in Title 3 of the Convention are noted (if no exemptions are granted insert: *No exemption has been granted*):

No exemption has been granted



Name: _____

Title: _____

Signature: _____

Place: _____

Date: _____

(Seal or stamp of the authority, as appropriate)

TO BE ISSUED BY MMA