



SAMPLE

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: **the Hong Kong Special Administrative Region of the People's Republic of China**

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

Name of ship	IMO number	Gross tonnage
«Reg_Name»	«IMO_No»	«GT»

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 ~~«under the corresponding national requirement listed below»~~ <in the section provided for this purpose below> *(strike out the statement which is not applicable)*;
- (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 (MLC Regulation 1.1; Cap. 478AF, Sections 5, 6, 7, and 8)

- .1 The age of a seafarer working onboard a Hong Kong ship shall not be less than 17 years.
- .2 Night work for seafarers under the age of 18 shall be prohibited except in limited circumstances as referred to Standard A1.1.3 (a) or (b) of the Convention.
- .3 "Night" is defined as a period of at least 9 hours, starting no later than midnight and ending no earlier than 5 am.
- .4 The employment, engagement or work of seafarers under the age of 18 on board a HK ship shall be prohibited where the work is likely to jeopardize their health or safety as identified in the IMDG Code and products in Chapter 17 of IBC Code as amended.
- .5 Seafarers under the age of 18 shall not be allowed to carry out any type of work prescribed in paragraph 2 of Guideline B4.3.10 of the Convention unless they are trained, and provided with appropriate supervision and instruction. Notwithstanding the above, seafarers under the age of 18 shall not work in the following hazardous areas:
 - working in high-pressure atmospheres, i.e. the risks from pressure and decompression such as diving;
 - working in ships' hospital or taking care of patients on board;
 - working involving high electrical voltage (over 1,000 voltage); exposure to shocks, low frequency vibration (for example, working in fast rescue craft), which may be associated with back pain and other spinal disorders.

2. Medical certification (MLC Regulation 1.2; Cap. 478AF, Section 10)

- .1 Every seafarer employed to work on board a ship must hold a valid medical fitness certificate.

3. Qualifications of Seafarers (MLC Regulation 1.3; Cap. 478AF, Section 11)

- .1 Seafarers shall not work on a ship unless they are trained or certified as competent or otherwise qualified to perform their duties.
- .2 Seafarers shall not be permitted to work on a Hong Kong ship unless they have successfully completed the trainings required by the Section A-VI/1 of the Code of the STCW Convention, as amended from time to time.
- .3 All officers and ratings on board Hong Kong ships shall comply with the provisions of the STCW Convention, as amended from time to time.

4. Seafarers' employment agreements (MLC Regulation 2.1; Cap. 478AF, Sections 12, 13, 14, 15, and Schedule 1)

- .1 The terms and conditions for employment of a seafarer shall be set out or referred to in a clear written legally enforceable agreement and shall be consistent with the standards set out in the Code.
- .2 All seafarers employed for working on board Hong Kong ships shall have a crew agreement signed by both the seafarer and the shipowner or a representative of the shipowner providing them with decent working and living conditions on board the ship as required by the Convention.
- .3 Seafarers signing a crew agreement are provided with an opportunity to examine and seek advice on the agreement before signing, as well as such other facilities as are necessary to ensure that they have freely entered into an agreement with a sufficient understanding of their rights and responsibilities.
- .4 The seafarer concerned with the agreement shall have a signed original of the crew agreement.
- .5 Clear information as to the conditions of their employment can be easily obtained on board by seafarers, including the ship's master, and that such information, including a copy of the crew agreement, is also accessible for review by authorised officers, including those in ports to be visited.
- .6 Each seafarer is provided with a document containing a record of their employment on board ship. The document shall contain sufficient information, with a translation in English, to facilitate the acquisition of further work or to satisfy the sea-service requirements for upgrading or promotion.
- .7 The document of record of employment shall not contain any statement as to the quality of the seafarers' work or as to their wages. An Employment Registration Book issued to a Hong Kong registered seafarer in accordance with Cap.478U or a seafarers' discharge book for seafarers other than Hong Kong registered seafarers working on board Hong Kong ships shall satisfy this requirement.
- .8 The crew agreement shall at least contain the items required by Standard A2.1.4 of the Convention as well as "Shipowners' liabilities" (para. 4.12 below) and "Entitlement to leave" (para. 4.13 below).
- .9 The minimum notice period to be given by the seafarers and shipowners for the early termination of a crew agreement shall not be shorter than seven days.
- .10 Shipowners shall allow seafarers to terminate the crew agreement at shorter notice or without notice without penalty for compassionate or other urgent reason.
- .11 Where the language of the crew agreement and any applicable agreement is not in English, the following shall also be available in English:
 - (a) a copy of a standard form of the agreement; and
 - (b) the portions of any applicable agreement that are subject to a port State inspection.

The requirement for an English copy shall not apply to Hong Kong ships not applicable to the certification requirements under the Convention and not engaging in international voyage, but at the request of the shipowner to the Director.
- .12 The employment agreement must contain provisions regarding the employer's liability for the seafarer's sickness or injury.
- .13 The following provisions for "Entitlement to leave" shall be included in the crew agreement as:
 - (a) The annual leave with pay entitlement shall be calculated on the basis of a minimum of 2.5 calendar days per month of employment. The length of service includes the period of traveling to join the ship and the period of his repatriation from abroad to his proper return port. Justified absences from work shall not be considered as annual leave; and
 - (b) Any agreement to forgo the minimum annual leave with pay shall not be allowed.

- 5. Use of any licensed or certified or regulated private recruitment and placement service (MLC Regulation 1.4; Cap.478, Parts VI and VII; Cap. 478AF, Sections 17 and 18)**
- .1 Shipowners who employ Hong Kong registered seafarers to work on board Hong Kong ships shall comply with the requirements of Part VI and Part VII of Cap.478
 - .2 Shipowners who use seafarer recruitment and placement services operating in a ML Convention country to recruit and place seafarers to work on board the ship, the shipowner must ensure that the agent is permitted to do so under the law of the country.
 - .3 Shipowners who use seafarer recruitment and placement services that are based in countries or territories in which the Convention does not apply for the employment of seafarers to work on board Hong Kong ships shall use the recruitment and placement services which conform to the Standard A1.4.5 of the Convention.
- 6. Hours of work or rest (MLC Regulation 2.3; Cap. 478AF, Sections 20, 21, 22, and 23)**
- .1 Shipowners shall implement the normal working hours' standard for seafarers on the basis of an eight-hour day with one day of rest per week and rest on public holidays.
 - .2 Shipowners shall provide every position of seafarers on board Hong Kong ships with the minimum number of hours of rest which shall not be less than :
 - (a) ten hours in any 24-hour period; and
 - (b) 77 hours in any seven-day period.

This minimum number of hours of rest applies to all seafarers on board.

Hours of rest - means time outside hours of works; this term does not include short breaks.
 - .3 Shipowner may divide the hours of rest into no more than two periods, one of which shall be at least six hours in length, and the interval between consecutive periods of rest shall not exceed 14 hours.
 - .4 In order to ensure a continued safe operation of Hong Kong ships in exceptional conditions, certain exceptions from the above requirements for the rest periods are allowed for those watchkeeping seafarers and those whose duties involve designated safety, prevention of pollution and security duties provided that the rest period is not less than 70 hours in any 7 day period and on certain conditions, namely:
 - (a) such exceptional arrangements shall not be extended for more than two consecutive weeks;
 - (b) the intervals between two periods of exceptions shall not be less than twice the duration of the exception;
 - (c) the hours of rest may be divided into no more than three periods, one of which shall be at least 6 hours and none of the other two periods shall be less than one hour in length;
 - (d) the intervals between consecutive periods of rest shall not exceed 14 hours; and
 - (e) exceptions shall not extend beyond two 24-hour periods in any 7-day period.

Exceptions shall, as far as possible, take into account the guidance regarding prevention of fatigue in section B-VIII/1 of the Code of the STCW Convention, as amended from time to time.
 - .5 Shipowner shall arrange emergency drills in a manner that minimizes the disturbance of rest periods and does not induce fatigue. Seafarers shall have adequate compensatory rest period if normal period of rest is disturbed by call-outs to work.
 - .6 A table for the shipboard working arrangement shall be posted on board a Hong Kong ship. The table shall cover every position and shall contain at least:
 - (a) the schedule of service at sea and service in port; and
 - (b) the minimum hours of rest.

This table, in the working language of the ship and in English, shall be placed in an easily accessible place and may be developed in accordance with "IMO/ILO Guidelines for the Development of Tables of Seafarers Shipboard Working Arrangements and Formats of Records of Seafarers Hours of Work or Hours of Rest" as amended. HKMD may specify any form of the table if deemed appropriate.
 - .7 Records of seafarers' daily hours of rest, in the working language of the ship and in English as may be developed in accordance with "IMO/ILO Guidelines for the Development of Tables of Seafarers Shipboard Working Arrangements and Formats of Records of Seafarers Hours of Work or Hours of Rest" as amended from time to time, shall be maintained to allow monitoring of compliance with provisions under the above paragraphs 6.2 to 6.6. Each seafarer shall be given a copy of the records pertaining to him which shall be endorsed by the master, or a person authorised by the master, and the seafarer concerned.
 - .8 The master of a Hong Kong ship shall have the right to require a seafarer to perform any hours of work necessary for the immediate safety of the ship, person on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. Accordingly, the master may suspend the schedule of hours of rest and require a seafarer to perform any hours of work necessary until the normal situation has

been restored. As soon as practice able after the normal situation has been restored, any seafarers who have performed work in a scheduled rest period shall be provided with an adequate period of rest by the master.

- .9 Shipowners shall comply with Guideline B2.3 of the Convention for all young seafarers under the age of 18.

7. Manning levels for the ship (MLC Regulation 2.7; Cap. 478AF, Section 25)

- .1 Without prejudice to section 13 of Cap.478J, shipowners shall place a sufficient number of a crew on board a Hong Kong ship to ensure that the ship is operated safely, efficiently and with due regard to security under all conditions. The ship shall be manned by seafarers that is adequate, in terms of size and qualifications, to ensure the safety and security of the ship and its personnel, under all operating conditions, in accordance with the minimum safe manning certificate (MSM Certificate) issued by HKMD.

8. Accommodation (MLC Regulation 3.1, Cap.478AF, Sections 27, 28, 29, 30, 31, and Schedule 2)

- .1 A Hong Kong ship constructed on or after the date when the Convention comes into effect in Hong Kong shall comply with the requirements for on-board accommodation and recreational facilities that are set out in Regulation 3.1, Standard A3.1.6 to A3.1.17 and Guidelines B3.1.1 to B3.1.12, of the Convention
- .2 For ships constructed before the date when the Convention comes into effect in Hong Kong, shipowners shall comply with the requirements of Cap.478I.
- .3 Shipowners shall ensure that frequent inspections are carried out onboard the ship, not exceeding every 7 days, by or under the authority of the master, to ensure that seafarer accommodation is clean, decently habitable and maintained in a good state of repair. The result of each such inspection shall be recorded into ship' official log book and be available for review.
- .4 HKMD may, after consultation with the Advisory Board, exempt ships of less than 200 gross tonnage where it is reasonable to do so, taking account of the size of the ship and the number of persons on board, in relation to the requirements under Standard A3.1 of the Convention:
- (a) paragraphs 7(b), 11(d) and 13; and
 - (b) paragraphs 9(f) and (h) to (l) inclusive, with respect to floor area only.

9. On-board recreational facilities (MLC Regulation 3.1; Cap. 478AF, Sections 33, 34, and Schedule 3)

- .1 For a Hong Kong ship constructed on or after the date when the Convention comes into effect in Hong Kong, shipowners shall provide appropriate seafarers' recreational facilities, amenities and services, as adapted to meet the special needs of seafarers who must live and work on ships. In addition to the requirements relevant to recreation facilities as stated in item 8 above, taking into consideration the guidelines in Part B, shipowners shall provide as a minimum a television, reading materials containing vocational and other books and space for recreational activities at no cost to the seafarer. The seafarers shall be given reasonable access to ship-to-shore telephone communications, and email and Internet facilities, where available, with any charges for the use of these services being reasonable in amount.
- .2 For ships constructed before the date when the Convention comes into effect in Hong Kong, shipowners shall comply with the requirements of Cap.478I.
- .3 Frequent inspections, not exceeding every 7 days, shall be carried out on board ships, by or under the authority of the master, to ensure that seafarer on board recreational facilities are clean and maintained in a good state of repair. The result of each such inspection shall be recorded into ship' official log book and be available for review.

10. Food and catering (MLC Regulation 3.2; Cap. 478AF, Sections 36, 37, 38, 39, and Schedule 4)

- .1 Shipowners shall maintain the minimum standards for food and catering be provided on board a Hong Kong ship as follows:
- (a) Shipowners shall provide food and drinking water supplies, having regard to the number of seafarers on board, their religious requirements and cultural practices as they pertain to food, and the duration and nature of the voyage, shall be suitable in respect of quantity, nutritional value, quality and variety.
 - (b) The organization and equipment of the catering department shall be such as to permit the provision to the seafarers of adequate, varied and nutritious meals prepared and served in hygienic conditions.
 - (c) Catering staff shall be properly trained or instructed for their positions.
- .2 Seafarers on board a Hong Kong ship shall be provided with food free of charge during the period of engagement.
- .3 Seafarers who are engaged as ships' cooks shall be trained, qualified and found competent.
- .4 The requirements in the paragraph 10.3 above shall include a completion of a training course approved or recognized by HKMD, which covers practical cookery, food and personal hygiene, food storage, stock control and environmental protection and catering health and safety. HKMD accepts ship cooks certified by

the “Certification of Ships Cooks Convention, 1946” (ILO Convention No.69) issued by a Party to the Convention. HKMD also accepts ships’ cooks qualified by experience when they have served as ships’ cooks not less than 12 months and completed an approved top-up course.

- .5 HKMD allows ships operating with a prescribed manning of less than ten which, by virtue of the size of the seafarers or the trading pattern not to carry a fully qualified cook. Anyone processing food in the galley shall be trained or instructed in areas including food and personal hygiene as well as handling and storage of food on board ship.
- .6 Frequent documented inspections shall be carried out on board Hong Kong ships not exceeding every 7 days, by or under the authority of the master, together with a member of the seafarers employed in catering on the ship with respect to:
 - (a) supplies of food and drinking water;
 - (b) all spaces and equipment used for the storage and handling of food and drinking water; and
 - (c) galley and other equipment for the preparation and service of meals.

The results of each inspection carried out shall be recorded by the master in the official log book and the entry shall be signed by him and a seafarer employed in catering on the ship.
- .7 No seafarer under the age of 18 shall be employed or engaged or work as a ship’s cook on board Hong Kong ships.

11. Health and safety and accident prevention (MLC Regulation 4.3; Cap. 478AF, Sections 41 and 42)

- .1 Shipowners shall adopt, implement and promote occupational safety and health policies and programmes on Hong Kong ships, including risk evaluation as well as training and instruction of seafarers. Shipowners conducting risk evaluation in relation to management of occupational safety and health shall refer to appropriate statistical information from their ships and from general statistics provided by HKMD.
- .2 Shipowners shall provide reasonable precautions to prevent occupational accidents, injuries and diseases on board Hong Kong ships, including measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals as well as the risk of injury or disease that may arise from the use of equipment and machinery on board ships.
- .3 The on-board occupational safety and health policies and programmes for the prevention of occupational accidents, injuries and diseases and for continuous improvement in occupational safety and health protection, involving seafarers’ representatives and all other persons concerned in their implementation as set out in paragraph 11.5 below, shall take account of preventive measures, including engineering and design control, substitution of processes and procedures for collective and individual tasks, and the use of personal protective equipment.
- .4 Shipowners shall provide protective equipment or other accident preventions safeguards with provisions requiring their use by seafarers. Special attention shall be paid to the safety and health of seafarers under the age of 18.
- .5 Shipowners shall specify the duties of the master or a person designated by the master, or both, in the ship’s occupational safety and health policies and programmes for the specific responsibility for the implementation of and compliance with such policies and programmes. Shipowners shall also specify the authority of the ship’s seafarers appointed or elected as safety representatives to participate in meetings of the ship’s safety committee. Such a committee shall be established on board a Hong Kong ship on which there are five or more seafarers.
- .6 Shipowners are required to report occupational accidents, injuries and diseases to the Mercantile Marine Office of the Marine Department and correct unsafe conditions.
- .7 The contents of the on-board occupational safety and health policies and programmes shall, to the least, in compliance with Standard A4.3.

12. On-board medical care (MLC Regulation 4.1; Cap. 478AF, Sections 44, 45, 46, 47, 48, and 49)

- .1 Shipowners shall implement measures that provide for health protection and medical care, including essential dental care, for seafarers working on board Hong Kong ships as follows:
 - (a) Shipowners shall provide occupational health protection and medical care, including essential dental care, for seafarers relevant to their duties, as well as of special provisions specific to work on board a Hong Kong ship.
 - (b) Shipowners shall provide seafarers 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. Seafarers shall be allowed to visit a qualified medical doctor or dentist without delay in ports of call, where practicable.

- (c) Medical care and health protection services while a seafarer is on board ship or landed in a foreign port shall be provided by shipowners free of charge to seafarers.
- (d) Shipowners shall provide measures of a prevention character such as health promotion and health education programmes in addition to the treatment of sick or injured seafarers.
- .2 Shipowners shall arrange that the “Medical report form for use by the ships’ masters and relevant onshore and on-board medical personnel” of the “International Medical Guide for Ships” as amended from time to time, or equivalent shall be used by ships’ masters and relevant onshore and on-board medical personnel. The form, when completed, and its contents shall be kept confidential and shall only be used to facilitate the treatment of seafarers.
- .3 Shipowners shall comply with Cap.478X of the requirements for on-board hospital and medical care facilities and equipment. Medical training on Hong Kong ships for seafarers shall be based on the contents of the “*International Medical Guide for Ships*”, as amended from time to time, the “*Medical First Aid Guide for Use in Accidents Involving Dangerous Goods*”, as amended from time to time, the “*Document for Guidance - An International Maritime Training Guide*”, as amended from time to time, and the medical section of the “*International Code of Signals*”, as amended from time to time.
- .4 Shipowners shall comply with the following minimum requirements of medical care on board Hong Kong ships:
- (a) All ships shall carry medicine stores, medical equipment and medical guide in compliance with Cap.478X and subject to regular inspection by authorized officer and by shipmasters not exceeding 12 months. Notwithstanding the above, shipmasters shall comply with the following requirements:
- (i) medicines are correctly stored and directions for their uses are checked;
 - (ii) any perishable medicines have been replaced;
 - (iii) all equipment required under Cap.478X are functioning as required; and
 - (iv) the ship is carrying the “*International Medical Guide for Ships*”, as amended, the “*Medical First Aid Guide for Use in Accidents Involving Dangerous Goods*”, as amended, the “*Document for Guidance - An International Maritime Training Guide*”, as amended and the medical section of the “*International Code of Signals*”, as amended.
- (b) Any Hong Kong ship carrying 100 or more persons and ordinarily engaged on international voyages of more than three days’ duration shall carry a qualified medical doctor who is responsible for providing medical care. He shall either be a medical practitioner as defined in Cap.1 or a qualified medical doctor from a country mutually recognized with Hong Kong under the STCW Convention, as amended.
- (c) Ships which do not carry a medical doctor shall have either at least one seafarer on board who is in charge of medical care and administering medicine as part of his regular duties or at least one seafarer on board competent to provide medical first aid. Persons in charge of medical care on board who are not medical doctors shall have satisfactorily completed training in medical care that meets the requirements of the STCW Convention, as amended, including practical training and training in life-saving techniques such as intravenous therapy, which will enable the persons concerned to participate effectively in coordinated schemes for medical assistance to ships at sea, and to provide the sick or injured with a satisfactory standard of medical care during the period they are likely to remain on board. Seafarers designated to provide medical first aid shall have satisfactorily completed training in medical first aid that meets the requirements of the STCW Convention, as amended, which will enable such persons to take immediate, effective action in case of accidents or illnesses likely to occur on board a ship and to make use of medical advice by radio or satellite communication. Both types of designated seafarers are required to undergo, at approximately five year intervals, refresher courses to enable them to maintain and increase their knowledge and skills and to keep up-to-date with new developments.

13. On-board complaint procedures (MLC Regulation 5.1.5; Cap. 478AF, Sections 51, 52, and 53)

- .1 All Hong Kong ships shall have on-board complaint procedures for the fair, effective and expeditious handling of seafarer complaints alleging breaches of the requirements of the Convention.
- .2 On board complaint procedures shall seek to resolve complaints at the lowest level possible. However, in all cases, seafarers shall have a right to complain directly to the master and, where they consider it necessary, to appropriate external authorities.
- .3 The on-board complaint procedures shall include the right of the seafarer to be accompanied or represented during the complaints procedure, as well as safeguards against the possibility of victimization of seafarers for filing complaints.
- .4 In addition to a copy of their crew agreement, all seafarers shall be provided with a copy of the on-board complaint procedures applicable on the ship. This shall include contact information of HKMD, and where

different, in the seafarers' country of residence, and the name of a person or persons on board the ship who can, on a confidential basis, provide seafarers with impartial advice on their complaint and otherwise assist them in following the complaint procedures available to them on board the ship.

14. Payment of wages (MLC Regulation 2.2; Cap. 478AF, Sections 55, 56, and 57)

- .1 All seafarers shall be paid for their work regularly and in full in accordance with their crew agreements.
Payments due to seafarers working on Hong Kong ships are to be made at no greater than monthly intervals and in accordance with applicable crew agreement.
- .2 Seafarers shall be 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.
- .3 Shipowners are required to take measures in accordance with sections 4 and 6 of Cap. 478A to provide seafarers with a means to transmit all or part of their earnings to their families or dependants or legal beneficiaries.
- .4 Any charge for the service under paragraph 14.3 shall be reasonable in amount, and the rate of currency exchange shall be at the prevailing market rate and not unfavourable to the seafarer.

15. Financial security for repatriation (MLC Regulation 2.5; Cap. 478AF, Sections 59 and 60)

- .1 A financial security must be in force in respect of a ship to ensure that any seafarer employed to work on board the ship is provided with assistance when the seafarer is abandoned.
- .2 The financial security -
 - (a) must be in the form of an insurance policy;
 - (b) must comply with the requirements set out in paragraphs 4, 8, 9, 10 and 12 of Standard A2.5.2 of the ML Convention;
 - (c) must not be terminated before the expiry date of the security, unless the provider of the security has given to the Authority at least 30 days prior notice in writing; and
 - (d) must not prejudice any right of recourse of the provider of the security against third parties.
- .3 A seafarer is regarded to be abandoned under the circumstances listed in paragraph 2 of Standard A2.5.2 of the ML Convention.
- .4 A ship must carry on board in respect of the financial security referred to MLC Regulation 2.5 -
 - (a) a certificate or other documentary evidence a financial security issued by each provider of the security; and
 - (b) have a copy of the certificate or other documentary evidence displayed in a conspicuous position on board the ship, which is accessible to the seafarers on it.
- .5 The certificate or other documentary evidence -
 - (a) must contain the particulars and information set out in Appendix A2-I to the ML Convention; and
 - (b) must be in English or accompanied by an English translation.

16. Financial security relating to shipowners' liability (MLC Regulation 4.2; Cap. 478AF, Sections 61 and 62)

- .1 A financial security must be in force in respect of a ship to ensure the payment of compensation for any liability claim brought in respect of any seafarer employed to work on board the ship under -
 - (a) the law of Hong Kong;
 - (b) the seafarer's employment agreement; or
 - (c) any agreement voluntarily entered into between one or more shipowners' organizations and one or more seafarers' organizations that satisfies the following conditions -
 - (i) the agreement relates to the working and living conditions of seafarers;
 - (ii) the shipowner of the ship is a member of the shipowners' organization or at least one of the shipowners' organizations, as the case requires; and
 - (iii) the seafarer is a member of the seafarers' organization or at least one of the seafarers' organizations, as the case requires.
- .2 The financial security -
 - (a) must be in the form of an insurance policy;
 - (b) must comply with the requirements set out in paragraphs 8(a), (b), (c), (d) and (e) and 13 of Standard A4.2.1 of the ML Convention; and

- (c) must not be terminated before the expiry date of the security, unless the provider of the security has given to the Authority at least 30 days prior notice in writing.
- .3 If a financial security referred to in subsection (1) is to be cancelled or terminated, the provider of the security must give the seafarers employed to work on board the ship at least 30 days prior notice in writing.
 - .4 If a financial security referred to in subsection (1) is cancelled or terminated, the provider of the security must, by written notice within 30 days of the cancellation or termination, inform the Authority of the cancellation or termination.
 - .5 Liability claim means a claim in respect of the death or long-term disability of a seafarer due to an occupational injury, illness or hazard.
 - .6 A ship must carry on board in respect of the financial security referred to MLC Regulation 4.2 -
 - (a) a certificate or other documentary evidence a financial security issued by each provider of the security; and
 - (b) have a copy of the certificate or other documentary evidence displayed in a conspicuous position on board the ship, which is accessible to the seafarers on it.
 - .7 The certificate or other documentary evidence -
 - (a) must contain the particulars and information set out in Appendix A4-I to the ML Convention; and
 - (b) must be in English or accompanied by an English translation.

Note:

- *Cap.478: Merchant Shipping (Seafarers) Ordinance*

- *Cap.478AF: Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation*

- *This latest mandatory version (2018A) of DMLC Part I contains the same national requirements as in the downloaded versions (dated 15 March 2013 and 11 November 2016) for compliance with 16 areas of the MLC, 2006.*

Name:

Title:

Signature:

Place: **Hong Kong**

Date: **«Issue Date»**

(Seal or stamp of the authority, as appropriate)

Substantial equivalencies

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

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

.....
.....

No equivalency has been granted.

Name:

Title:

Signature:

Place: Hong Kong

Date: «Issue Date»

(Seal or stamp of the authority, as appropriate)

Exemptions

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

~~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: Hong Kong

Date: «Issue Date»

(Seal or stamp of the authority, as appropriate)