

**REGULATIONS RELATING TO INSPECTION
OF SEAFARERS' WORKING AND LIVING CONDITIONS**

A Legislative Drafting Project Submitted in Partial Fulfillment of the Requirements
for the Award of the Degree of Master of Laws (LL.M.)
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“Enforcement of compliance by ships of all flags with existing International Maritime Organization (IMO) and International Labour Organization (ILO) standards is the main pillar of global maritime safety policy”

*Mr. William A.O'Neil, Secretary-General,
International Maritime Organization*

EXPLANATORY NOTE

Accidents involving merchant ships resulting in the loss of human life and valuable ships as well as damage to the marine environment are a fact of modern times. This development can be traced in part to the consistent growth of sea-borne commerce, a parallel growth in the size of the world's merchant fleet, and the evolving nature of ocean shipping and its operations in terms of the variety of ships, their management, trading patterns, cargoes and manning. Equally significant, however, are the changes which have taken place over the years in the conditions of employment for seafarers and the problem of the operation of substandard ships – ships which do not fully comply with accepted international standards and regulations on safe operation and manning and in social and labour conditions on board.

It is obviously in the interests of shipowners, seafarers and the community at large that the seafarers' working and living conditions should be as safe as possible, and that accidents such as injuries, disability or death should be kept to a minimum.

The emphasis upon internationally accepted standards is dictated by practical necessity. While each State remains free in theory to apply its own legal standards relating to such matters as seaworthiness and crew qualifications to ships flying its flag and, to more limited extent, to ships entering its ports or territorial sea, there would be chaos if these standards varied widely or were incompatible. Furthermore, because labour measures usually involve extra costs for shipowners, and because shipping is very competitive industry, most States are reluctant to impose upon internationally accepted minimum standards for seafarers. For these reasons, therefore, the international community has developed a set of uniform international standards to promote minimum protection for

seafarers. These standards are contained in a number of international conventions, most of which are the work of the International Labour Organization (ILO).

On 3 December 1991¹ by virtue of article 1, paragraph 3, of the Constitution of the International Labour Organization, the Republic of Latvia, which is a member of the United Nations, accordingly became a Member of the International Labour Organization and formally accepted the obligations of the Constitution of the International Labour Organization and undertook to fulfill them.²

The Republic of Latvia has ratified six ILO Conventions, the most important of which is *Merchant Shipping (Minimum Standards) Convention, 1976 (No.147)*, and particularly:

- 1) Minimum Age (Sea) Convention, 1920 (No.7);³
- 2) Unemployment Indemnity (Shipwreck) Convention, 1920 (No.8);⁴
- 3) Placing of Seamen Convention, 1920 (No.9);⁵
- 4) Medical Examination of Young Persons (Sea) Convention, 1921 (No.16);⁶
- 5) Seafarers' Identity Documents Convention, 1958 (No.108);⁷
- 6) Merchant Shipping (Minimum Standards) Convention, 1976 (No.147).⁸

Under the provisions of the *Merchant Shipping (Minimum Standards) Convention, 1976 (No.147)*, the governments of ratifying States undertake to have laws, regulations and procedures to ensure that ships flying their flags respect certain minimum standards regarding shipboard conditions of employment, safety and living arrangements. At the same time, the Convention No.147 provides that the authorities of ratifying States can make effective use of the provisions of the Convention for rectifying clearly hazardous conditions on board foreign flagships visiting their ports.

¹ The Republic of Latvia was a Member of the ILO from 22 December 1921 until its absorption into the USSR on 21 July 1940.

² Official Bulletin, ILO, Vol.LXXV, 1992, Series A, No.1

³ Ratified on 3.6.1926

⁴ Ratified on 29.8.1930

⁵ Ratified on 3.6.1926

⁶ Ratified on 9.9.1924

⁷ Ratified on 8.3.1993

In providing the means for the inspection of ships registered in their own country and in foreign countries, governments should take into consideration the provisions of the following international instruments - *Merchant Shipping (Minimum Standards) Convention, 1976 (No.147)*, *Labour Inspection (Seafarers) Convention, 1996 (No.178)*, *Labour Inspection (Seafarers) Recommendation, 1996 (No.185)*, as well as relative provisions of the *Directive of the Council of the European Union 95/21/EC⁹*, which together set out general principles regarding the scope and organization of inspection, the rights and powers of inspectors and report of the inspection authorities.

Taking into account that all above mentioned international instruments lay down an important international obligations on flag State and port State, as well as taking into account that Latvia does not have a special labour inspection system to inspect ships flying Latvian flag and ships flying flags other than that of Latvia, and also taking into account that there is a number of detentions of ships flying Latvian flag in a foreign ports under the Port State Control System, which might be one of the reasons why Latvian flag is “blacklisted” under the Paris Memorandum on Understanding on Port State Control, it seems very important to analyze the existing international instruments regarding inspection of seafarers’ working and living conditions and to draft a special regulations relating to this issue for the purpose as to how to set up and improve the inspection of seafarers’ working and living conditions by Latvia as a flag State and as a Port State as well.

It is very important to keep in mind and to distinguish two different regimes of compliance, which apply, to national flagships and to foreign flagships, which can be “full” compliance or “substantially equivalent”¹⁰ compliance.

⁸ Ratified on 12.11.1998

⁹ Council Directive 95/21/EC of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control).

¹⁰ “Substantially equivalent” implies that the State is committed to the goals of the Convention No.147 and to the Conventions listed in the Appendix to the Convention No.147 in question and has taken steps to

The following cases apply:

- *Case one:* The flag State has ratified Convention No.147 and has ratified the particular Convention listed in the Appendix to Convention No.147 – full compliance with the provisions of the Convention in the Appendix and, whenever relevant, with the flag States national laws or regulations.

- *Case two:* The flag State has ratified Convention No.147 but has not ratified the particular Convention listed in the Appendix to Convention No.147 – “substantially equivalent” compliance with the provisions of the Convention in the Appendix in accordance with the flag States national laws or regulations.

- *Case three:* The flag State has not ratified Convention No.147 but has ratified the particular Convention listed in the Appendix to Convention No.147 – full compliance with the provisions of the Convention in the Appendix and, whenever relevant, with the flag States national laws or regulations.

- *Case four:* The flag State has not ratified Convention No.147 and has not ratified the particular Convention listed in the Appendix to Convention No.147 – “substantially equivalent” compliance with the provisions of the Convention in the Appendix.

This legislative drafting project forms a second logical part of the dissertation “Inspection of seafarers’ working and living conditions: a Latvian perspective”, submitted by author of this draft as a partial fulfillment of the requirements for the Award of the Degree of Master of Laws (LL.M.) to the IMO International Maritime Law Institute in 2001.

For the purpose of this legislative drafting project “competent authority” means any government department or other public authority or their structural unit of the Republic

ensure that they are respected in its national legislation, even though the national standards may be different in detail from the international standards.

of Latvia, having power to supervise the implementation of provisions of this Regulations.

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REGULATIONS RELATING TO INSPECTION OF SEAFARERS' WORKING AND LIVING CONDITIONS

*Made in accordance
with Article 10 of
the Seafarers' Code
of the Republic of Latvia.*

Article 1. Scope

(1) Except as otherwise provided for in this Article, this Regulations applies to any ship flying the Latvian flag (hereinafter referred to as the – “Latvian ship”) and any other seagoing ship flying the flag of any State other than that of Latvia (hereinafter referred to as the – “Foreign ship”), whether publicly or privately owned and ordinarily engaged in commercial maritime operations, sailing within waters under Latvian jurisdiction, including those ships which are in the normal course of their business or for operational reasons calling at or anchored off a Latvian port.

(2) This Regulations applies to seagoing tugs.

(3) This Regulations does not apply to:

- (a) Ships less than 500 gross tonnage, and
- (b) Oil rigs and drilling platforms, when not engaged in navigation.

Article 2. Definitions

“**Inspector**” means a duly authorized employee of the competent authority or other person holding proper credentials for performing an inspection on behalf of an institution or organization duly authorized by the competent authority to carry out inspections;

“**Inspection**” means a visit by an inspector on board a ship in order to verify compliance with legal provisions concerning seafarers' working and living conditions;

“**Legal provisions concerning seafarers' working and living conditions**” means:

(a) for Latvian ships – the laws and regulations of the Republic of Latvia, and where appropriate, arbitration awards and collective employment agreements concerning seafarers' working and living conditions,

(b) for foreign ships – standards of the Merchant Shipping (Minimum) Standards Convention, 1976 (No.147) (further in the text – Convention No.147), including the provisions of Conventions in the Appendix to Convention No.147, and where relevant the flag State's national laws and regulations;

“Seafarers’ working and living conditions” means the conditions such as those relating to standards of maintenance and cleanliness of shipboard living and working areas, minimum age, articles of agreement, food and catering, crew accommodation, recruitment, manning, qualifications, hours of work, medical examinations, prevention of occupational accidents, medical care, sickness and injury benefits, social welfare and related matters, repatriation, terms and conditions of employment, freedom of association and related matters;

“Complaint” means information submitted by a seafarer or the seafarer’s representatives or by any other person, institution or organization with an interest in the safety of the ship, concerning the health and safety of the seafarers, that seafarers’ working and living conditions on board a ship to which this Regulations applies do not comply with the legal provisions concerning seafarers’ working and living conditions;

“Conditional release” means the formal permission to a ship to proceed to sea on condition that the deficiencies noted by the inspector will be rectified in the nearest appropriate port of call;

“Stoppage of an operation” means a formal prohibition of a ship to continue an operation due to deficiencies noted by the inspector, would constitutes a significant danger to seafarers’ health and safety;

“Detention” means the formal prohibition of a ship to proceed to sea due to deficiencies noted by the inspector, would constitutes a significant danger to seafarers’ health and safety;

“Report” means the document giving the results of the inspection and details of any decisions taken by the inspector and of corrective action to be taken by the Owner;

“Owner” means the shipowner or bareboat charterer, or any other organization or person, such as the agent or manager, who is duly authorized by the Owner, and who assumes the responsibility for the operation of the ship from the Owner and who on assuming such responsibility, has agreed to take over all the attendant duties and responsibilities of the Owner;

“Seafarer” means any person who is in any capacity employed or engaged on board a ship.

Article 3. Inspection body

(1) The inspection shall be carried out only by duly authorized inspector of the competent authority who fulfills the qualification criteria specified in Annex I of this Regulations.

(2) The competent authority may authorize other persons, institutions or organizations it recognizes as competent and independent to carry out inspections on its behalf.

(3) The competent authority shall maintain and make publicly available a list of such institutions or organizations.

Article 4. Identity card

The inspector shall carry a personal document in the form of an identity card issued by the competent authority in accordance with Annex II of this Regulations, indicating that the inspector is authorized to carry out an inspection.

Article 5. Inspection of Latvian ships

(1) The competent authority shall ensure that all Latvian ships to which this Regulations applies, are inspected at intervals not exceeding three years and, when practicable, annually, to verify compliance with legal provisions concerning seafarers' working and living conditions.

(2) It is the duty of the Owner to notify the competent authority about substantial changes in construction or accommodation arrangements as soon as possible and in any case within two months from the time when such changes are made.

(3) The competent authority shall inspect the ship within three months after receiving the notification made in accordance with paragraph (2) of this Article.

Article 6. Complaint

(1) If the competent authority receives a complaint or obtains evidence that a ship to which this Regulations applies, does not comply with legal provisions concerning seafarers' working and living conditions, the competent authority shall take measures to inspect the ship immediately.

(2) Any complaint under paragraph (1) of this Article shall, as far as practicable, be made in writing.

(3) Notwithstanding the provisions of paragraph (2) of this Article, the competent authority may act upon a complaint made orally.

Article 7. Powers of inspector

(1) The inspector is empowered:

- (a) To board any ship, to which this Regulations applies and to enter relevant premises freely and without previous notice at any hour of the day or night;
- (b) To carry out an inspection of the overall condition of the ship and to carry out any other examination, test or inquiry which he may consider necessary;
- (c) To question the master, seafarers or any other person, including the Owner, on any matter in the presence of a witness that the person may have requested;

- (d) to require the production of any books, log books, registers, certificates or other documents or information directly related to matters subject to inspection;
- (e) to enforce the posting of any notices required by the provisions of this Regulations;
- (f) to require that deficiencies found upon the inspection are remedied;
- (g) to take or remove, for the purposes of analysis, samples of products, cargo, drinking-water, provisions and materials and substances used or handled.

(2) The Owner or master of the inspected ship and, where appropriate, seafarers should be notified of any sample being taken or removed in accordance with subparagraph (g) of paragraph (1) of this Article and should be present at the time a sample is taken or removed. The inspector should properly record the quantity of such a sample.

Article 8. Duty to provide notification of presence

When commencing an inspection, an inspector should provide notification of presence to the master or person in charge and, where appropriate, to the seafarers or their representatives.

Article 9. Assistance

The inspector may be assisted by any duly qualified person having the required expertise.

Article 10. Rectification of deficiencies or conditional release

In the case of deficiencies which are not clearly hazardous to the seafarers' safety or to the health and where such deficiencies cannot be rectified in the port of inspection, the inspector may allow the ship concerned to proceed to the nearest appropriate port available as chosen by the master and the inspector concerned.

Article 11. Duty to notify in the case of conditional release

In the circumstances referred to in Article 10 of this Regulations, the inspector in the port of inspection shall notify the competent authority of the State in the next port of call and, where appropriate, the seafarers or their representatives and any other authority as appropriate of all the conditions of the voyage.

Article 12. Notification form in the case of conditional release

(1) The notification of the parties as referred to in Article 11 of this Regulations will take effect through the use of facsimile on the “FORM A” contained in Annex IV of this Regulations or by other appropriate means.

(2) The notification, as referred to in paragraph (1) of this Article, shall contain the following information:

- (a) date;
- (b) from (country);
- (c) port;
- (d) to (country);
- (e) port;
- (f) a statement reading: deficiencies to be rectified;
- (g) name of ship;
- (h) IMO identification number (if available);
- (i) flag of ship;
- (j) call sign;
- (k) report(s) of the competent authority;
- (l) date of departure;
- (m) estimated place and time of arrival;
- (n) nature of deficiencies;
- (o) action taken;
- (p) suggested action;
- (q) suggested action at next port of call;
- (r) name and facsimile number of sender.

Article 13. Detention or stoppage of an operation

(1) In the case of deficiencies which are clearly hazardous to the seafarers' safety or to the health, the inspector shall ensure that the ship is detained or the operation in the course of which the deficiencies have been revealed is stopped. The detention order or stoppage of an operation shall not be lifted until the hazard is removed or until the inspector establishes that the ship can, subject to any necessary conditions, proceed to sea or that the operation be resumed without risk to the seafarers' safety and health.

(2) When exercising their professional judgment as to whether or not a ship should be detained, the inspector shall apply the criteria set out in Annex III of this Regulations.

(3) When exercising an inspection under this Regulations all possible efforts shall be made to avoid a ship being unduly detained or delayed.

Article 14. Duty to notify in the case of detention

(1) In the event that the inspection gives rise to a detention of a Latvian ship the inspector shall immediately inform in writing the competent authority of all the circumstances of detention.

(2) In the event that the inspection gives rise to a detention of a foreign ship, before taking measures to rectify deficiencies mentioned in Article 13 of this Regulations, the competent authority shall immediately notify, in writing, the competent authority of the flag State or the Consul or, in his absence, the nearest diplomatic representative of the flag State, of all the circumstances in which intervention was deemed necessary, and , if possible, ensure that such a representative is present.

Article 15. Notification form in the case of detention

(1) The notification of the parties as referred to in Article 14 of this Regulations will take effect through the use of facsimile on the “FORM B” contained in Annex V of this Regulations or by other appropriate means.

(2) The notification, as referred to in paragraph (1) of this Article, shall contain the following information:

- (a) date;
- (b) from (country);
- (c) port;
- (d) to (country);
- (e) port;
- (f) a statement reading: deficiencies to be rectified;
- (g) name of ship;
- (h) IMO identification number (if available);
- (i) flag of ship;
- (j) call sign;
- (k) report (s) of the competent authority;
- (l) date of departure;
- (m) estimated place and time of arrival;
- (n) nature of deficiencies;
- (o) action taken;
- (p) suggested action;
- (q) suggested action at next port of call;
- (r) name and facsimile number of sender.

Article 16. Right of appeal

(1) The Owner has a right of appeal against a detention decision taken by the inspector. An appeal shall not cause the detention to be suspended.

(2) The appeal shall be made in accordance with the procedures laid down in Latvian legislation.

(3) The inspector shall properly inform the Owner and master of the ship of the right of appeal, referred to in paragraph (1) of this Article.

Article 17. Right for compensation

If a ship is unduly detained or delayed, the Owner shall be entitled to compensation for any loss or damage suffered. In any instance of alleged undue detention or delay the burden of proof shall lie with the Owner.

Article 18. Penalties

(1) In the case of failure of a ship to co-operate with an inspector in the exercise of his rights under with this Regulations by denying his access on board or by obstructing his lawful inspection the inspector may detain the ship until a satisfactory inspection can be made.

(2) The inspector shall report immediately to the competent authority, in accordance with this Regulations, about the situation mentioned in paragraph (1) of this Article.

Article 19. Reimbursement of costs

(1) Should the inspection confirm or reveal deficiencies in relation to the requirements for the detention of a ship, all costs relating to the inspection shall be covered at the Owner's expense.

(2) The detention shall not be lifted until full payment has been made or the Owner has given a sufficient guarantee for the reimbursement of the costs.

Article 20. Confidentiality

The inspector carrying out an inspection and the persons assisting him shall:

- (a) have no commercial interest either in the port of inspection or in the ship inspected;

- (b) not reveal, even after leaving service, any commercial secrets or confidential working processes or information of a personal nature which may come to his knowledge in the course of his duties;
- (c) treat as confidential the source of any complaint alleging a danger or deficiency in relation to seafarers' working and living conditions or an infringement of provisions of this Regulations and give no intimation to the Owner that an inspection was made as a consequence of such a complaint;
- (d) have discretion, following an inspection, to bring immediately to the attention of the Owner or the master of the ship deficiencies which may affect the health and safety of those on board the ship.

Article 21. Report of inspection

(1) The inspector on completion of an inspection shall submit a copy of the report of the inspection in English or, where appropriate in the working language of the ship, in the form specified in Annex VI of this Regulations, to the competent authority, to the Owner and to the master of the ship and another copy shall be posted on the ship's notice board for the information of the seafarers or sent to their representatives, but in the case of detention of a foreign ship a further copy shall be send to the Director-General of the International Labour Office.

(2) In the case of deficiencies warranting the detention of a ship, the document to be given in accordance with paragraph (1) of this Article shall include information about the future publication of the detention order in accordance with the provisions of this Regulations.

(3) In case of an inspection pursuant to a incident the report shall be submitted as soon as possible but not later than two weeks following the conclusion of the inspection.

(4) The competent authority shall maintain records of reports of inspections of seafarers' working and living conditions.

Article 22. Publication of reports

(1) The competent authority shall as a minimum twice a year publish the general report on inspection activities, which shall contain:

- (a) A list of persons, institutions and organizations duly authorized by the competent authority to carry out inspections on behalf of the competent authority;
- (b) A list of laws and regulations in force relevant to seafarers' working and living conditions and any amendments which have come into during the year;
- (c) Details of the organization of the system of inspection;
- (d) Statistics of ships liable to inspection and of ships actually inspected;

- (e) Statistics of seafarers subject to the laws and regulations referred to in subparagraph (b) of this paragraph;
- (f) Statistics of occupational injuries and diseases affecting seafarers;
- (g) Statistics and information on infringements of the provisions of this Regulations and legal provisions concerning seafarers' working and living conditions and penalties imposed and cases of detention of ships (with special notice if the ship was detained during the previous three-month period and which have been detained more than once during the past 24 months), including:
 - (i) name of the ship;
 - (ii) name of the Owner (at the moment of detention);
 - (iii) IMO number;
 - (iv) flag State;
 - (v) reason for detention;
 - (vi) port and date of detention.

(2) The competent authority shall also publish an annual report, including all information mentioned in paragraph (1) of this Article, including analysis of the main problems relating to the system of inspection of seafarers' working and living conditions on board ship. This report shall be published within a reasonable time after the end of the year to which it relates and in any case within six months.

Annex I. Qualification criteria for inspector
(as referred in Article 3)

(1) The inspector must be authorized to carry out inspection by the competent authority.

(2) Subject to any conditions for recruitment to the public service which may be prescribed by Latvian laws or regulations, inspector should have qualifications and adequate training to perform his duties and where possible should have a maritime education or experience as a seafarer.

(3) The inspector must have appropriate knowledge of the provisions of the relevant instruments and of the relevant provisions of this Regulations and ability to communicate orally and in writing in English language.

(4) The inspector is deemed to be properly qualified if that person either:

- (a) has a certificate of competency as master, enabling that person to take command of a ship of 1600 tons gross tonnage or more (see STCW, Reg. II/2);
- (b) has a certificate of competency as chief engineer, enabling that person to take up that task on board a ship whose main power plant has a power equal or superior to 3000 kW (see STCW, Reg. III/2);
- (c) has passed an examination as a naval architect, mechanical engineer or an engineer related to the maritime fields and worked in that capacity for at least 5 years; or
- (d) has hold a relevant university degree or an equivalent training;
- (e) has been trained and qualified at a school for ship safety inspectors;
- (f) has served at least 2 years as a flag State surveyor dealing with surveys and certification in accordance with the relevant instruments.

(5) The inspector mentioned under (a) and (b) above must have served for a period of not less than five years at sea as officer in the deck or engine department.

(6) Inspector not fulfilling the above criteria is also accepted if he is employed by the competent authority at the date of adoption of this Regulations.

Annex II. Identity card for inspector
(as referred to in Article 4)

(1) The identity card for inspector (hereinafter called “the identity card”), shall comply with the following requirements and shall contain at least the following information:

- (a) name of the competent authority issuing the identity card;
- (b) full name of the holder of the identity card;
- (c) an up-to-date picture of the holder of the identity card;
- (d) the signature of the holder of the identity card;
- (e) a statement to the effect that the holder of the identity card is authorized to carry out inspections in accordance with this Regulations.

(2) If the main language used on the identity card is not English, it must include a translation into English language.

(3) The format of the identity card is left to the discretion of the competent authority.

Annex III. Criteria for detention of a ship
(as referred to in Article 13(2))

The following criteria may be the reason for detention of a ship:

- (a) Insufficient food for voyage to next port;
- (b) Insufficient potable water for voyage to next port;
- (c) Excessively unsanitary conditions on board;
- (d) No heating in accommodation of a ship operating in areas where temperatures may be excessively low;
- (e) Excessive garbage, blockage by equipment or cargo or otherwise unsafe conditions in passageways/accommodations;
- (f) Failure of seamen to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the flag State Administration;
- (g) Failure to comply with the applicable safe manning requirements of the flag State Administration;
- (h) Failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the flag State Administration;
- (i) Absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radio communications or the prevention of marine pollution;
- (j) Failure to provide proof of professional proficiency for the duties assigned to seafarers for the safety of the ship and the prevention of pollution;
- (k) Inability to provide for the first watch at the commencement of a voyage and for subsequent relieving watches persons who are sufficiently rested and otherwise fit for duty.

Annex IV. Report of inspection (FORM A)
(as referred to in Article 12)

FORM A

REPORT OF INSPECTION

(reporting authority)
(address)
(telephone)
(telefax)

copy to: master
head office
authority of flag State
if ship is detained, copy to:
flag State
recognized organization, if applicable

1 reporting authority of 2 name of the ship

3 flag of ship 4 type of ship 5 call sign.....

6 IMO number 7 date of final report..... 8 place of inspection

9 authority of flag State 10 date of issue of detention order **)

11 particulars of owner/operator (delete as appropriate)
..... **)

12 name and signature of master to certify that the information under 11 is correct:

name signature

13 information on reports on last inspection **)

(a) inspecting authority	(b) date of inspection	(c) place
(1)		
(2)		
(3)		
(4)		
(5)		

14 ship detained no yes ***)

15 do any detainable deficiencies meet the criteria for authority responsibility? no yes

16 supporting documentation no yes (see annex)

district office name.....
(duly authorized labour inspector of reporting authority)
telephone.....
telefax..... sign.....

This report must be retained on board for a period of two years and must be available for consultation by labour inspectors at all times.

*) This inspection report has been issued solely for the purpose of informing the master and competent authority of other Member States that an inspection by the inspecting authority, mentioned in the heading, has taken place. This inspection report cannot be construed as a seaworthiness certificate in excess of the certificates the ship is required to carry.

**) to be completed in the event of a detention.

***) Masters, shipowners and/or operators are advised that detailed information on a detention may be subject to publication.

CODES FOR ACTIONS TAKEN

Code

- 00** no action taken
- 10** deficiency rectified
- 12** all deficiencies rectified
- 15** rectify deficiency at next port
- 16** rectify deficiency within 14 days
- 17** master instructed to rectify deficiency before departure
- 18** rectify non-conformity within 3 months
- 19** rectify major non-conformity before departure
- 30** grounds for detention
- 35** ship allowed to sail after detention
- 40** next port informed
- 45** next port informed to re-detain
- 50** flag state/consul informed
- 55** flag state consulted
- 70** authority of flag State informed
- 80** temporary substitution of equipment
- 95** letter of warning issued
- 96** letter of warning withdrawn
- 99** other (specify in clear text)

Annex VI. Report of deficiencies
(as referred to in Article 21)

FORM C

REPORT OF DEFICIENCIES
NOT FULLY RECTIFIED OR ONLY PROVISIONALLY REPAIRED

(Copy to maritime authority of next port of call, authority of the flag State or other certifying authority, as appropriate,
as required byof the.....)

1 From (country)..... 2. Port.....

3. To (country)..... 4. Port.....

5. Name of ship..... 6. Date departed.....

7. Estimated place and time of arrival.....

8. IMO number..... 9. Flag of ship.....

10. Type of ship..... 11. Call sign.....

12. Issuing authority of report.....

13. Nature of deficiencies to be rectified:

14. Suggested action:

(including action at next port of call)

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15. Action taken:

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Reporting Authority..... Office.....

Name..... Facsimile.....
duly authorized labour inspector of (reporting authority)

Signature..... Date.....