

Shipping Consultative Committee

Proposed Declaration of Maritime Labour Compliance –Part I

Purpose

1. The purpose of this paper is to seek members' views on the proposed Declaration of Maritime Labour Compliance-Part I (DMLC-Part I) for the implementation of Maritime Labour Convention, 2006 (hereinafter "the Convention").

Backgrounds

2. The Convention, which covers health, safety, minimum age, recruitment, hours of work and other vital issues affecting seafarers, will enter into force internationally 12 months after 30 Members States of ILO with 33% of the total world gross tonnage have ratified the Convention.

3. As at 17 August 2010, ten countries: Bahamas, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Liberia, Marshall Islands, Norway, Panama, and Spain, have ratified the Convention with an accumulative world gross tonnage exceeding 33%. In our recent meeting with the China Maritime Safety Administration (MSA), they indicated that they would endeavour to implement the Convention in China by the end of 2011 or early 2012.

4. It is expected that Maritime Labour Convention, 2006 will enter into force internationally by the end of 2011 in accordance with article VIII (3) of the Convention and it will be extended to Hong Kong by China when Hong Kong is ready to implement the Convention.

DMLC-Part I

5. The Hong Kong Marine Department has to draw up and issue DMLC-Part I to shipowners. The DMLC-Part I that consists of 14 items as stipulated in Appendix A5-I of the Convention must be inspected and found to meet our regulations or other measures implementing the requirements of the Convention regarding working and living conditions relevant to seafarers on ships before a maritime labour certificate can be issued.

6. DMLC-Part I shall identify the requirements embodying the relevant provisions of the Convention by providing a reference to the relevant legal provisions as well as, to the extent necessary, concise information on the main content of the requirements.

7. Shipowners shall draw up their DMLC-Part II on the basis of the DMLC-Part I and identify the measures adopted to ensure on-going compliance with the requirements between inspections and the measures proposed to ensure that there is continuous improvement.

Local legislation

8. As the legislative program for the amendment to the local legislation is still proceeding, the draft DMLC-Part I is subject to comments from the relevant Bureaux and Department of Justice. In the draft DMLC-Part I, the blue coloured wordings are the proposed amendment to the existing legislation or measures to comply with the Convention while the red colour wordings are the information provided for meeting the concern of our recognized organizations raised in our consultation with them earlier.

Consultation

9. Members are invited to comment on the proposed DMLC-Part I.

Marine Department
Multi-lateral Policy Division
23 August 2010

Encl.

DMLC-Part I