

GHANA SHIPPING (MARITIME LABOUR) REGULATIONS, 2015 (L.I. 2226)

ARRANGEMENT OF REGULATIONS

Regulation

Application

1. Application

Certification

2. Declaration and certificate

3. Carriage of documents

4. Declaration of Maritime Labour Compliance

5. Maritime Labour Certificate

6. Interim Maritime Labour Certificate

7. Renewal of Maritime Labour Certificate

8. Suspension, withdrawal or cancellation of Declaration or Certificate

Minimum requirements for seafarers to work on a ship

9. Minimum age for seafarer

10. Medical certificate

11. Training and qualifications

12. Seafarer recruitment and placement services

Conditions of Employment

13. Employment Agreement

14. Wages

15. Hours of rest

16. Annual Leave

17. Repatriation

18. Seafarer compensation for loss or foundering of ship

19. Manning levels

Accommodation, Recreational Facilities, Food and Catering

20. Accommodation facilities

21. Design and construction
22. Ventilation and heating
23. Lighting
24. Sanitary facilities
25. Sleeping accommodation
26. Hospital accommodation
27. Laundry facilities
28. Recreational facilities
29. Variation of requirements
30. Exemptions
31. Food and catering

Health Protection, Medical Care, Welfare and Social Security Protection

32. Medical care
33. Liability of shipowner
34. Health and safety protection and accident prevention
35. Social security

Miscellaneous

36. Inspection and detention of Ghanaian ships
37. Inspection and detention of foreign ships
38. Onboard complaints procedure for Ghanaian ships
39. Onshore seafarer complaint-handling procedure
40. Offences
41. Interpretation

SCHEDULES

FIRST SCHEDULE

Declaration of Maritime Labour Compliance

SECOND SCHEDULE

Maritime Labour Certificate

THIRD SCHEDULE

Interim Maritime Labour Certificate

GHANA SHIPPING (MARITIME LABOUR) REGULATIONS, 2015

IN exercise of the power conferred on the Minister responsible for Transport by section 477 of the Ghana Shipping Act, 2003 (Act 645), these Regulations are made this 1st day of December 2015.

Application

Regulation 1—Application

These Regulations apply to

- (a) a Ghanaian registered ship which is engaged in commercial activities, except where that ship is
 - (i) engaged in fishing,
 - (ii) a warship or naval ship, or
 - (iii) a ship exempted by the Director-General;
- (b) a seafarer if the seafarer does not belong to the categories of persons exempted by the Director-General and specified in a Maritime Circular; and
- (c) a seafarer recruitment and placement service registered and licensed in this country.

Certification

Regulation 2—Declaration and certificate

- (1) A shipowner shall not operate a ship unless the ship has been issued with a valid
 - (a) Declaration of Maritime Labour Compliance; and
 - (b) Maritime Labour Certificate.
- (2) A shipowner who contravenes sub regulation (1) commits an offence and is liable on summary conviction to a fine of not less than five hundred penalty units and not more than one thousand penalty units or a term of imprisonment of not less than two years and not more than four years or to both the fine and the term of imprisonment.

Regulation 3—Carriage of documents

- (1) A shipowner shall ensure that at all times, there is kept on board the ship
 - (a) the Declaration of Maritime Labour Compliance, and
 - (b) the Maritime Labour Certificate.

in respect of that ship together with an English translation of the Certificate and the Declaration where applicable.

(2) The shipowner shall post the Maritime Labour Certificate and the Declaration of Maritime Labour Compliance in a conspicuous place on board the ship.

(3) A shipowner shall make available, upon request, a copy of the Maritime Labour Certificate and the Declaration of Maritime Labour Compliance to

- (a) a seafarer;
- (b) a flag state inspector;
- (c) an authorised officer in a port State; or
- (d) any other person determined by the Authority.

Regulation 4—Declaration of Maritime Labour Compliance

(1) A shipowner shall apply to the Authority for the completion and issue of Part I of the Declaration of Maritime Labour Compliance before the application for a Maritime Labour Certificate.

(2) The Authority shall, on completion of Part I of the Declaration of Maritime Labour Compliance, forward the Declaration to the shipowner concerned within ten working days and request the shipowner to complete Part II.

(3) The shipowner shall, on completion of Part II, submit Part I and Part II of the Declaration of Maritime Labour Compliance to the Authority for inspection before the issue of a Maritime Labour Certificate.

(4) The Declaration of Maritime Labour Compliance shall be attached to the Maritime Labour Certificate.

(5) The Declaration of Maritime Labour Compliance shall be in the form set out in the First Schedule.

Regulation 5—Maritime Labour Certificate

(1) A shipowner shall apply in writing to the Authority for a Maritime Labour Certificate.

(2) The Authority may issue a Maritime Labour Certificate if, after inspection of the ship, the Authority is satisfied that the ship complies with the requirements of the Convention.

(3) A Maritime Labour Certificate issued under this regulation is valid for a period of five years.

(4) The Authority may issue a Maritime Labour Certificate which is valid for a period of less than five years where the circumstances require.

(5) A Maritime Labour Certificate shall be in the form set out in the Second Schedule.

(6) This regulation applies to

- (a) a Ghanaian ship that is five hundred gross tonnage or over and that is engaged in international voyages; and
- (b) any other ship that is five hundred gross tonnage or over;
 - (i) that is in the territorial waters of Ghana; and
 - (ii) that flies the flag of a member state to the Convention

Regulation 6—Interim Maritime Labour Certificate

(1) The Authority may, on application, issue an interim Maritime Labour Certificate as prescribed in the Third Schedule where a ship

- (a) is on a delivery voyage, or
 - (b) is transferred to the Ghanaian register,
- or a ship owner assumes responsibility for the operation of a ship from another ship owner.

(2) An interim Maritime Labour Certificate is valid for a period of not more than six months.

Regulation 7—Renewal of Maritime Labour Certificate

The Authority may renew a Maritime Labour Certificate if, after inspection of the ship, the Authority is satisfied that the ship complies with these Regulations.

Regulation 8—Suspension, withdrawal or cancellation of Declaration or Certificate

The Authority may, by notice in writing, suspend, withdraw or cancel a Declaration of Maritime Labour Compliance and a Maritime Labour Certificate, if

- (a) the shipowner fails to comply with the requirements under the Convention and these regulations, or
- (b) a required corrective action has not been taken.

Minimum requirements for seafarer to work on a ship

Regulation 9—Minimum age for seafarer

(1) A person under the age of

- (a) sixteen years shall not be employed on a ship;
- (b) eighteen years shall not be employed on a ship where the work may jeopardize the health and safety of that person.

(2) For the purpose of sub regulation (1), the Authority shall specify in Maritime Circulars the kind of work that may jeopardize the health and safety of a person.

(3) A seafarer who is under the age of eighteen years shall not

- (a) be employed as a cook on a ship; or

(b) engage in night work except where the Authority determines that

(i) the effective training of that seafarer, in accordance with established programmes and schedules, may be impaired;

(ii) night work is the specific nature of the duty of that seafarer; or

(iii) the recognised training programme requires a seafarer under the age of eighteen years to perform duties at night and that the work will not be detrimental to the health or well-being of the seafarer.

(4) For the purpose of this regulation, “night” means a period of at least nine hours starting not later than midnight ships time and ending not earlier than 0500 hours ships time.

Regulation 10—Medical certificate.

(1) A shipowner shall not permit a seafarer to work on board a ship unless that seafarer holds a valid medical certificate issued by a medical practitioner recognised by the Authority.

(2) A seafarer who has been issued a medical certificate shall carry that certificate on board during that seafarer's employment on the ship.

(3) The Authority may permit a seafarer to be examined by a medical referee, where

(a) a medical practitioner issues a medical certificate with restrictions imposed on the seafarer's ability to work; or

(b) a medical practitioner refuses to issue a medical certificate to the seafarer.

(4) A medical certificate issued under sub regulation (1) shall—

(a) be in accordance with the STCW Convention and where a seafarer is not covered by the STCW Convention, the medical certificate shall have similar requirements;

(b) state that the seafarer's hearing, sight and colour vision, where colour vision is a requirement for the work to be performed, are satisfactory; and

(c) state that the seafarer is not suffering from any medical condition that may

(i) be aggravated by sea service;

(ii) render the seafarer unfit for sea service; or

(iii) endanger the health of persons on board the ship.

(5) The Authority may, in urgent cases, permit a seafarer to work without a valid medical certificate until the next port of call, where the seafarer may obtain a medical certificate from a medical practitioner recognised by the administration in that port of call if

(a) the seafarer holds a medical certificate that expired within the preceding six-month period; and

(b) the period of the permission does not exceed three months.

(6) Where the medical certificate of a seafarer expires during the course of a voyage, the medical certificate shall, despite the expiration, continue in force until the next port of call where the seafarer may obtain a medical certificate from a qualified medical practitioner except that the period that an expired medical certificate continues to be in force shall not exceed three months.

(7) Except where a shorter period is required by the seafarer's duties or is required under the STCW Convention, a medical certificate is valid

(a) for a period of two years except where the seafarer is under the age of eighteen years in which case the certificate is valid for one year; and

(b) in the case of a certificate in respect of colour vision, for a period of six years.

(8) A medical certificate for a seafarer working on a ship ordinarily engaged on international voyages shall be in English.

Regulation 11—Training and qualifications

(1) A shipowner shall not permit a seafarer to work on a ship unless that seafarer

(a) has successfully completed training for personal safety; and

(b) is trained or certified as competent or otherwise qualified to perform the duties of a seafarer.

(2) The training and certification requirements under sub regulation (1) shall be in accordance with the Merchant Shipping (Training, Certification, Manning and Watchkeeping), Regulations, 2004 (L.I. 1790) or any other relevant law.

Regulation 12—Seafarer recruitment and placement services

(1) A person shall not operate a seafarer recruitment and placement service in this country unless that service is

(a) registered under the Companies Act, 1963 (Act 179) or the Incorporated Private Partnerships Act, 1962 (Act 152),

(b) registered by the Minister responsible for Employment to operate as a seafarer recruitment and placement service under the Labour Act, 2003 (Act 651), and

(c) licensed by the Ghana Maritime Authority to operate as a seafarer recruitment and placement service.

(2) A person who wishes to operate a seafarer recruitment and placement service shall apply to the Authority for a licence to operate that service.

(3) The applicant shall pay to the Authority a fee determined by the Authority in consultation with the Minister responsible for Finance and published in the Gazette and in two daily newspapers of national circulation.

(4) The application shall be accompanied with

- (a) a statement of the category of seafarers to be recruited;
 - (b) the location and address of the recruitment and placement service;
 - (c) proof that the recruitment and placement service possesses the requisite facilities to engage in the business of recruiting seafarers; and
 - (d) any other information that the Authority may request.
- (5) For the purpose of the grant of a licence, the Authority shall conduct an inspection of the facilities of an applicant to determine the suitability of the facilities.
- (6) Where the Authority is satisfied that an applicant has satisfied the conditions necessary for operating a seafarer recruitment and placement service, the Authority shall grant a licence to the applicant within ten days.
- (7) Where an applicant for a licence to operate a seafarer recruitment and placement service fails to meet the conditions for the grant of the licence, the Authority shall
- (a) refuse to grant the licence;
 - (b) inform the applicant of the refusal in writing within ten working days; and
 - (c) state the reasons for the refusal.
- (8) Where the Authority grants a licence to an applicant to operate a seafarer recruitment and placement service, the Authority shall state in the licence
- (a) the duration of the licence and the period for renewal,
 - (b) that a seafarer employed under the licence shall have a certificate of competence issued by the Authority or another body recognised by the Authority, and
 - (c) that a seafarer recruitment and placement service provider shall recruit seafarers in accordance with these Regulations and any other relevant legislation.
- (9) The Authority shall revoke a licence issued under these Regulations where the licensee
- (a) breaches any of the conditions of the licence;
 - (b) fails to renew the licence; or
 - (c) fails to comply with these Regulations.
- (10) A licence issued by the Authority under these Regulations is not transferable.
- (11) A seafarer recruitment and placement service provider shall file a return with the Authority every three months after the recruitment and placement service provider has obtained the licence to operate.
- (12) The returns shall include
- (a) the number of seafarers recruited by the seafarer recruitment and placement service provider;

- (b) the category of recruited seafarers;
- (c) the nationality of the seafarers; and
- (d) the number of the recruited seafarers engaged to work on board a Ghanaian ship and on a foreign ship.

(13) A seafarer recruitment and placement service provider shall

- (a) maintain, and make available for inspection by the Director-General, an up-to-date register of all seafarers recruited or placed by the service;
- (b) ensure that each seafarer is informed of the seafarer's rights and duties under the seafarer's employment agreement before the seafarer's employment;
- (c) make proper arrangements for a seafarer to examine the employment agreement of that seafarer before and after the agreement is signed;
- (d) provide each seafarer with a copy of that seafarer's employment agreement;
- (e) verify that each seafarer recruited or placed by that service is qualified and holds the appropriate qualifications for the position;
- (f) verify that each employment agreement is in accordance with the relevant law and any collective bargaining agreement which forms a part of the employment agreement;
- (g) ensure, as far as practicable, that the shipowner has the means to protect seafarers from being stranded in a foreign port;
- (h) examine and respond to any complaint concerning the seafarers recruited and placed by the service and advise the Director-General of unresolved complaints; and
- (i) establish a system of protection, by way of insurance or an equivalent appropriate measure.

(14) A person shall not impose a fee or other charge on a seafarer for recruiting, placing or providing employment to that seafarer, except the cost of obtaining

- (a) a medical certificate;
- (b) a seafarer's record book;
- (c) a passport, or other travel documents, excluding the cost of visas; or
- (d) any training required for a particular position.

(15) A seafarer recruitment or placement service provider shall not employ any means, mechanism or list intended to prevent or deter a person from gaining employment for which that person is qualified.

(16) Where the owner of a Ghanaian ship enters into a contract with a seafarer recruitment and placement service provider in a country in which the Convention does not apply, the shipowner shall ensure that the service provider satisfies the requirements of this regulation.

(17) A person who contravenes this regulation commits an offence and is liable on summary conviction to a fine of not less than three hundred penalty units and not more than five hundred penalty units or a term of imprisonment of not less than eighteen months and not more than two years.

Conditions of Employment

Regulation 13—Employment Agreement

(1) A shipowner shall enter into an employment agreement with a seafarer whom the shipowner employs on board the ship, and the shipowner and seafarer shall each keep a signed original of the employment agreement.

(2) The employment agreement shall be signed by the seafarer and the shipowner or a representative of the shipowner before the seafarer boards the ship.

(3) A seafarer may examine and seek advice on the terms and conditions in the employment agreement of that seafarer before signing the agreement.

(4) Where a seafarer engaged on a ship is not an employee, the shipowner shall enter into a contractual or other arrangement in terms similar to that of the employment agreement under sub regulation (1).

(5) A shipowner shall ensure that information on the conditions of employment of the seafarer can be easily obtained on board the ship by the seafarer and that the information, including a copy of the employment agreement of the seafarer, is also accessible for review by officers of the Authority, and officers in the ports to be visited.

(6) A shipowner or master shall ensure that every seafarer is given a document containing a record of the employment of the seafarer on board the ship and that document shall not contain any statement as to the quality of work or wages of the seafarer.

(7) The Authority shall specify by Maritime Circulars

(a) the form of,

(b) the particulars to be recorded in, and

(c) the manner in which the particulars are to be entered in the document referred to in sub regulation (6).

(8) Where the language of the employment agreement and any applicable collective bargaining agreement is not in English, the shipowner shall make the following documents available in English:

(a) a copy of a standard form of the agreement; and

(b) the portions of the collective bargaining agreement that are subject to a Port State inspection.

(9) An employment agreement shall contain

- (a) the full name, date of birth or age and birthplace of the seafarer;
 - (b) the name and address of the shipowner;
 - (c) the place where and date when the employment agreement is entered into;
 - (d) the capacity in which the seafarer is to be employed;
 - (e) the amount of the seafarer's wages or, where applicable, the formula used for calculating the wages;
 - (f) the amount of paid annual leave or, where applicable, the formula used for calculating the annual leave;
 - (g) the termination of the agreement and the conditions for termination, including
 - (i) where the agreement is for an indefinite period, the conditions entitling either party to terminate it, as well as the required notice period, which shall not be less for the shipowner than for the seafarer;
 - (ii) where the agreement is for a definite period, the date fixed for its expiry; and
 - (iii) where the agreement is for a voyage, the port of destination and the time that has to expire after arrival before the seafarer is discharged;
 - (h) the health and social security protection benefits to be provided to the seafarer by the shipowner;
 - (i) the entitlement of the seafarer on repatriation;
 - (j) a reference to the collective bargaining agreement, if applicable; and
 - (k) any other particulars required by law.
- (10) Where a collective bargaining agreement forms all or a part of an employment agreement, the shipowner shall make a copy of that agreement available on board the ship.
- (11) For the purpose of this regulation, the minimum period of notice required to be given by a seafarer and a ship-owner for the early termination of a seafarers' employment agreement is seven days except in exceptional circumstances where a seafarer may give a shorter notice period.

Regulation 14—Wages

- (1) A seafarer shall be paid on a monthly basis in accordance with the employment agreement of that seafarer and any applicable collective agreement.
- (2) A seafarer 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 that agreed, including any deductions.
- (3) Where a seafarer has agreed with the shipowner for payment of the wages of the seafarer or a part of the wages in a specific currency, a payment of or on account of the wages of the seafarer if

made in a currency other than that stated in the agreement, shall be made with the approval of the Authority .

(4) A shipowner shall establish a system for enabling a seafarer, at the time of the seafarer entering employment or during the employment, to allot, if the seafarer so desires, a proportion of the wages of the seafarer for remittance at regular intervals to the nominated beneficiaries of the seafarer by bank transfers or similar means.

(5) An allotment referred to under sub regulation (3) shall be remitted within the time period agreed by the parties and directly to the person nominated by the seafarer.

(6) A charge levied for the service under sub regulation (3) shall be reasonable in amount, and the rate of currency exchange, unless otherwise provided, shall

(a) be at the prevailing market rate or the official published rate;

(b) not be unfavourable to the seafarer; and

(c) comply with the relevant law.

Regulation 15—Hours of rest

(1) A master shall, so far as is reasonably practicable, ensure that the minimum number of hours of rest is observed for seafarers.

(2) For the purpose of sub regulation (1), the minimum hours of rest shall not be less than ten hours in any twenty-four hour period and seventy-seven hours in any seven-day period.

(3) The hours of rest referred to in sub regulation (2) may be divided 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 fourteen hours.

(4) A master shall conduct musters, firefighting and lifeboat drills, and mandatory drills in a manner that minimises the disturbance of rest periods and does not induce fatigue.

(5) Where the normal period of rest of a seafarer is interrupted by a call-out to work, the master shall give that seafarer an adequate compensatory rest period.

(6) Where the rest period of a seafarer is disturbed because of an activity under sub regulation (4) or (5) and

(a) there is not an adequate compensation rest period in respect of the seafarer in a collective agreement or an arbitration award, or

(b) where there is a collective agreement or arbitration award but the Authority determines that the provisions in the collective agreement or arbitration award in respect of sub regulation 4 or 5 are inadequate,

the Authority shall make provision to ensure that the seafarer concerned has sufficient rest.

(7) A shipowner shall ensure that a table with the shipboard working arrangements is posted in an easily accessible place on board the ship and contains, for every position at least

- (a) the schedule of service at sea and service in port; and
- (b) the minimum hours of rest required under sub regulation (2).

(8) The table referred to in sub regulation (7), shall be

- (a) in a standardised form;
- (b) in the working language of the ship; and
- (c) in the English language where the language of the ship is not English.

(9) A shipowner shall

- (a) maintain a record of the daily hours of rest of a seafarer
 - (i) in the form determined by the Authority;
 - (ii) in the working language of the ship; and
 - (iii) in the English language; and
- (b) give each seafarer a copy of the record pertaining to that seafarer's daily hours of rest, endorsed by the master, or a person designated by the master and the seafarer.

(10) Despite sub regulation 1 to 9, a master may require a seafarer, to exceed the scheduled duty periods, where in the opinion of the master it is necessary in an emergency

- (a) which threatens the safety of the ship;
- (b) which threatens the safety of a person on board the ship;
- (c) which may result in damage to cargo; or
- (d) for the purpose of giving assistance to other ships or persons in distress at sea.

(11) For the purpose of this regulation,

- (a) "hours of work" means the time during which seafarers are required to do work on account of the ship; and
- (b) "hours of rest" means the time outside hours of work excluding short breaks.

Regulation 16—Annual Leave

(1) A seafarer is entitled to annual paid leave in accordance with sub regulation (3) in respect of each twelve months of employment.

(2) Without limiting sub regulation (1), a seafarer is entitled to shore leave.

(3) Subject to a collective agreement providing for an appropriate method of calculation that takes account of the special needs of seafarers, the annual leave entitlement of a seafarer shall be calculated on the basis of a minimum of two and half calendar days per month of employment.

(4) Except in cases provided for by the Director- General, an agreement to forgo the annual leave entitlement under sub regulation (3) is void.

Regulation 17—Repatriation

(1) A shipowner shall repatriate a seafarer to a proper return port at no cost to the seafarer

(a) where the employment agreement of the seafarer expires while the seafarer is abroad;

(b) upon the expiry of the period of notice given in accordance with the provisions of the employment agreement of the seafarer, where the employment agreement is terminated

(i) by the shipowner; or

(ii) by the seafarer for justified reasons; or

(c) where the seafarer is no longer able to carry out the duties of the seafarer under the employment agreement or cannot be expected to carry out the duties in the specific circumstances.

(2) A shipowner shall not

(a) require a seafarer to make an advance payment towards the cost of repatriation at the beginning of the employment of the seafarer; or

(b) recover the cost of repatriation from the seafarers' wages or other entitlements except where the seafarer has been found to be in default of the legal obligations of the seafarer's employment or collective bargaining agreement.

(3) A shipowner shall provide the Authority with evidence of financial security sufficient to ensure that a seafarer who is engaged by that shipowner will be duly repatriated at the end of the employment of the seafarer.

(4) Despite sub regulations (1) and (2), a shipowner may recover the cost of repatriation of a seafarer under a third-party contractual arrangement.

(5) Where a shipowner fails to make arrangements for, or to meet the cost of, repatriation of a seafarer, the Authority shall

(a) arrange for the repatriation of the seafarer; and

(b) recover from the shipowner, the costs incurred in repatriating the seafarer.

(6) The Authority may, for the purpose of sub regulation (5)(b), detain a ship of that shipowner until the shipowner reimburses the Authority.

(7) Subject to sub regulation (2)(b), the expenses of repatriation of a seafarer shall not be charged to the seafarer.

(8) A shipowner shall ensure that at all times, a copy of this regulation, in the English language, is on board a Ghanaian ship and is available to a seafarer.

Regulation 18—Seafarer compensation for loss or foundering of ship

A shipowner shall compensate a seafarer for injury, loss or unemployment, where a ship is lost or has foundered.

Regulation 19—Manning levels

(1) A shipowner shall ensure that at all times, the ship has a sufficient number of seafarers on board.

(2) A ship shall be manned in accordance with the safe manning requirements issued under the Ghana Shipping Act, 2003 (Act 645).

Accommodation, Recreational Facilities, Food and Catering

Regulation 20—Accommodation facilities

(1) A shipowner shall provide and maintain safe and decent accommodation facilities for seafarers working or living on board the ship.

(2) The master or a person designated by the master shall

(a) inspect the crew accommodation at intervals of not more than seven days;

(b) be accompanied by a minimum of one member of the crew during the inspection of the crew accommodation; and

(c) cause to be entered in the ship's official logbook

(i) the time and date of the inspection,

(ii) the names and ranks of the persons conducting the inspection, and

(iii) the particulars of the crew accommodation or any part of it that is not compliant with these Regulations or any other relevant enactment.

(3) A shipowner shall make the official logbook of the ship available for review by an authorised officer.

Regulation 21—Design and construction

(1) For the purpose of these Regulations, a ship shall be designed and constructed to ensure that

(a) where full and free movement is necessary, the accommodation of a seafarer has a clear headroom of at least two hundred and three centimetres but the Authority may permit a reduction in headroom in any space, or part of any space, where the Authority is satisfied that the reduction is reasonable and will not result in discomfort to a seafarer;

(b) the accommodation of a seafarer is adequately insulated;

(c) in ships other than passenger ships, sleeping rooms are situated above the load line amidship or aft, except that in exceptional cases, where the size, type or intended service of the ship renders any other location impracticable, sleeping rooms may be located in the fore part of the ship, but shall not be located forward of the collision bulkhead ;

(d) there is no direct opening from a cargo and machinery space or from a galley, storeroom, drying room or communal sanitary area into a sleeping room;

(e) part of a bulkhead separating a cargo and machinery space, a galley, storeroom, drying room or communal sanitary area from a sleeping room and an external bulkhead is efficiently constructed of steel or other approved substance and is watertight and gas-tight;

(f) the materials used to construct internal bulkheads, panelling and sheeting, floors and joinings is suitable for the purpose and conducive to ensuring a healthy environment;

(g) proper lighting and sufficient drainage is provided;

(h) accommodation, recreational and catering facilities meet the requirements of regulation 34 with respect to preventing the risk of exposure to hazardous levels of noise and vibration and other ambient factors and chemicals on board ships, and to provide an acceptable occupational and on-board living environment for seafarers; and

(i) a ship regularly trading to a port which is mosquito infested is fitted with appropriate devices.

(2) The Authority may,

(a) in respect of a passenger ship or a special purpose ship, and

(b) on condition that satisfactory arrangements are made for lighting and ventilation,

permit the location of a sleeping room below the load line, but a sleeping room shall not be located immediately below a working alleyway.

(3) This regulation does not apply to a ship which is constructed before 16th August 2014.

(4) For the purpose of this regulation, a ship is constructed on the date when the keel of the ship is laid or when the ship is at a similar stage of construction.

Regulation 22—Ventilation and heating

For the purpose of these Regulations, a shipowner shall ensure that

(a) sleeping rooms and mess rooms in the ship are adequately ventilated;

(b) the ship is equipped with air conditioning for

(i) seafarer accommodation,

(ii) any separate radio room, and

(iii) any centralised machinery control room,

except where the ship is regularly engaged in trade in temperate climatic conditions which do not require air conditioning;

(c) sanitary spaces have ventilation to the open air, independently of any other part of the accommodation; and

(d) adequate heat through an appropriate heating system is provided, unless in the case of a ship which is exclusively on voyage in tropical climates.

Regulation 23—Lighting

For the purpose of these Regulations, a shipowner shall ensure that

(a) subject to special arrangements that may be permitted by the Authority for a passenger ship, sleeping rooms and mess rooms are lit by natural light and provided with adequate artificial light; and

(b) seafarer accommodation complies with the standards specified in the Act and any other Regulations made under the Act.

Regulation 24—Sanitary facilities

(1) For the purpose of these Regulations, a shipowner shall ensure that

(a) a seafarer has convenient access, on the ship, to sanitary facilities meeting minimum standards of health and hygiene and reasonable standards of comfort, with separate sanitary facilities for men and women;

(b) there are sanitary facilities within easy access of the navigating bridge and the machinery space or near the engine room control centre;

(c) a minimum of one toilet, one wash basin and one tub or shower or both for every six persons or less who do not have personal facilities is provided at a convenient location in the ship;

(d) with the exception of a passenger ship, each sleeping room is provided with a washbasin having hot and cold running fresh water, except where the washbasin is situated in a private bathroom; and

(e) hot and cold running fresh water is available in all wash places.

(2) The Authority may approve special arrangements or a reduction in the number of facilities required in a passenger ship normally engaged on voyages of not more than four hours duration.

Regulation 25—Sleeping accommodation

(1) For the purpose of these Regulations, a shipowner shall ensure that where sleeping accommodation on board the ship is required

(a) except on a passenger ship, each seafarer is provided with an individual sleeping room;

(b) subject to the minimum floor area requirements referred to in sub regulation (2),

- (i) on ships of less than three thousand gross tonnage other than a passenger ship or a special purpose ship, a sleeping room is occupied by a maximum of two seafarers;
 - (ii) on a passenger ship, a sleeping room is occupied by a maximum of four seafarers not carrying out the duties of a ships' officer;
 - (iii) on a passenger ship where a seafarer performs the duty of petty officer, a sleeping room is occupied by a maximum of two seafarers;
 - (iv) on a special purpose ship, the sleeping rooms are capable of accommodating more than four seafarers;
- (c) separate sleeping rooms are provided for men and for women;
- (d) as far as practicable, sleeping rooms of seafarers are so arranged that watches are separated and that a seafarer who works during the day does not share a room with a watchkeeper;
- (e) sleeping rooms are of adequate size, and
- (i) for each occupant, furniture of smooth hard material not liable to warp or corrode is provided including a clothes locker with a minimum volume of four hundred and seventy five litres and a drawer or equivalent space with a minimum volume of fifty litres and where the drawer is incorporated in the clothes locker, the combined minimum volume of the clothes locker is five hundred litres and is fitted with a shelf and capable of being locked by the occupant;
 - (ii) each sleeping room is provided with a table or desk, of the fixed, drop-leaf or slide-out type, with comfortable seating accommodation;
- (f) berths meet the following standards:
- (i) a separate berth is provided for each seafarer;
 - (ii) the inside dimensions of a berth is a minimum of one hundred and ninety-eight centimetres by eighty centimetres;
 - (iii) there is adequate berth arrangements on board;
 - (iv) berths are arranged in tiers of not more than two and where a berth is placed along the side of a ship, there is only a single tier where a sidelight is situated above a berth;
 - (v) the lower berth in a double tier is a minimum of thirty centimetres above the floor and the upper berth is placed approximately midway between the bottom of the lower berth and the lower side of the deckhead beams;
 - (vi) the framework and the lee-board of a berth is hard, smooth, and not likely to corrode or to harbour vermin and is of the approved material;
 - (vii) where tubular frames are used for the construction of berths, they are completely sealed and without perforations;

(viii) when one berth is placed over another, a dust-proof bottom is fitted beneath the bottom mattress or the spring bottom of the upper berth; and

(ix) clean bedding is supplied to a seafarer during the service of the seafarer on board the ship, and the seafarer is responsible for the return of the bedding at times specified by the master on completion of service on the ship.

(2) Unless otherwise provided for in these Regulations, sleeping rooms shall have the following minimum floor areas:

(a) in a single berth seafarers' sleeping room, the floor area shall be a minimum of

(i) four and half square metres for a ship that does not exceed three thousand gross tonnage;

(ii) five and half square metres for a ship of three thousand gross tonnage or more but less than ten thousand gross tonnage; and

(iii) seven square metres for a ship of ten thousand gross tonnage or more;

(b) in a ship that does not exceed three thousand gross tonnage, other than a passenger ship or a special purpose ship, where sleeping rooms are occupied by two seafarers, the floor area shall be a minimum of seven square metres;

(c) the floor area of a sleeping room for a seafarer who is not performing the duties of a ship's officer on a passenger ship or a special purpose ship shall be a minimum of

(i) seven and half square metres in a room accommodating two persons;

(ii) eleven and half square metres in a room accommodating three persons; and

(iii) fourteen and half square metres in a room accommodating four persons;

(d) the floor area of sleeping rooms on a special purpose ship where more than four seafarers are accommodated shall be a minimum of 3.6 square metres per person;

(e) the floor area of a sleeping room on a ship other than a passenger ship or a special purpose ship, for a seafarer who performs the duties of a ship officer where no private sitting room or day room is provided, shall be a minimum of

(i) seven and half square metres per person in a ship which does not exceed three thousand gross tonnage;

(ii) eight and half square metres per person in a ship of three thousand gross tonnage or more but not exceeding ten thousand gross tonnage; and

(iii) ten square metres per person in a ship of ten thousand gross tonnage or more;

(f) the minimum floor area per person for a seafarer who is performing the duties of a ship officer on a passenger ship or a special purpose ship where no private sitting room or day room is provided shall be

(i) seven and half square metres for a junior officer; and

(ii) eight and half square metres for a senior officer.

(3) The master, the chief engineer, the chief navigating officer and where practicable, the second engineer officer, shall each have, in addition to their sleeping rooms, an adjoining sitting room, day room or equivalent additional space.

(4) The Authority may allow a reduced floor area in order to provide single berth sleeping rooms on a ship of less than three thousand gross tonnage, a passenger ship and a special purpose ship.

(5) A mess room shall

(a) be located away from the sleeping rooms and as close as practicable to the galley; and

(b) be of adequate size and comfort and properly furnished and equipped, and have facilities for refreshment.

Regulation 26—Hospital accommodation

(1) A shipowner shall ensure that where the ship carries more than fifteen seafarers and is engaged in a voyage exceeding three days duration, the ship is provided with separate accommodation to be used exclusively for medical purposes.

(2) The accommodation referred to in sub regulation (1) shall

(a) include sanitary facilities; and

(b) be accessible, comfortable and conducive for the purpose of providing prompt and adequate care to a seafarer.

Regulation 27—Laundry facilities

A shipowner shall provide laundry facilities on the ship for seafarers.

Regulation 28—Recreational facilities

(1) A shipowner shall provide recreational facilities, amenities and services on the ship for seafarers.

(2) For the purpose of sub regulation (1), the ship shall

(a) have a space on open deck which is of adequate area having regard to the size of the ship and the number of seafarers on board to which a seafarer may have access when off duty; and

(b) be provided with separate offices or a common ship's office for use by the deck and engine departments.

Regulation 29—Variation of requirements

The Authority may permit fairly applied variations in respect of the requirements of regulation 20 to 28, on condition that the variations do not result overall in the facilities being less favourable than those which would result from the application of the requirements.

Regulation 30—Exemptions

The Authority may

(a) where it is reasonable to do so and taking into account the size of the ship and the number of persons on board a ship, exempt a ship not exceeding two hundred gross tonnage from the following provisions of these Regulations

(i) regulation 22(b), 24(1) (d) and 28, and

(ii) regulation 25(5) in respect of floor area only;

(b) exempt a ship which does not exceed three thousand gross tonnage from the provisions of regulation 24(1)(b), 24(2) and 26; or

(c) exempt a special purpose ship from the provisions of regulation 24(2).

Regulation 31—Food and catering

(1) A shipowner shall ensure that on board the ship

(a) the food and drinking water are of suitable quantity, nutritional value and quality, for the number of seafarers on board and the duration and nature of the voyage;

(b) the catering department is organised and equipped to provide seafarers with adequate, varied and nutritious meals, prepared and served in a sanitary environment;

(c) catering staff are properly trained or qualified; and

(d) a seafarer engaged as a cook has completed a training course approved or recognised by the Authority.

(2) Despite sub regulation (1)(d), the Authority may permit a person who has not completed a training course approved or recognised by the Authority to serve as a cook in a specified ship until the next convenient port of call or for a period not exceeding one month.

(3) A seafarer on board a ship shall, during the period of engagement, be provided with food free of charge.

(4) The master or a person designated by the master shall

(a) at intervals not exceeding seven days inspect

(i) supplies of food and drinking water;

(ii) spaces and equipment used for the storage and handling of food and drinking water; and

(iii) the galley and other equipment for the preparation and service of meals;

on board the ship,

(b) be accompanied by at least one member of the crew during the inspection referred to under paragraph (a); and

(c) cause to be entered in the official logbook of the ship

(i) the time and date of the inspection,

(ii) the names and ranks of the persons who conducted the inspection, and

(iii) the particulars of the area inspected that does not comply with these Regulations or any other relevant law.

(5) A shipowner shall make the official logbook of the ship available for review by an authorised officer.

Health Protection, Medical Care, Welfare and Social Security Protection

Regulation 32—Medical care

(1) A shipowner shall provide medical care, including dental care, and health protective measures for a seafarer working on board the ship.

(2) A seafarer shall have access to free and prompt medical care while working on board the ship.

(3) A shipowner shall, where practicable, permit a seafarer to visit a medical practitioner or dentist in a port of call without delay and at no cost to the seafarer.

(4) The Authority shall prescribe a standard medical report form to be used by the master and on board and onshore medical personnel.

(5) The form referred to under sub regulation (4) and its contents shall be kept confidential and shall only be used to facilitate the treatment of a seafarer.

(6) A medicine chest, medical equipment and a medical guide shall be carried and maintained on board a ship and shall be inspected at intervals of not more than twelve months.

(7) A shipowner shall ensure that the ship has a qualified medical practitioner on board where the ship carries one hundred or more persons and is ordinarily engaged on international voyages exceeding a period of three days.

(8) Where there is no medical practitioner on board a ship, the shipowner shall ensure that there is on board the ship a seafarer who has satisfactorily completed training in medical care in accordance with the Merchant Shipping (Training, Certification, Manning and Watchkeeping) Regulations, 2004 (L . I. 1790), and who is

(a) in charge of medical care and administration of medicine as part of the regular duties of that seafarer; or

(b) competent to provide medical first aid.

(9) The Authority shall ensure that medical advice, including expert advice, by radio or satellite communication is available to Ghanaian ships at all times.

Regulation 33—Liability of shipowner

(1) A seafarer is entitled to financial assistance from the shipowner in the event the seafarer falls sick or is injured in the course of the employment of the seafarer or as a result of the employment of the seafarer under the employment agreement.

(2) The dependants of a seafarer who dies in the course of the employment or as a result of the employment of the seafarer are entitled to financial assistance from the shipowner.

(3) Sub regulation (1) does not affect the right of the seafarer to any other legal remedy.

(4) A shipowner is responsible for health protection and medical care of seafarers working on board the ship and

(a) is liable for the cost of treatment of a seafarer in respect of sickness and injury of the seafarer occurring between the date of commencement of duty and the date upon which the seafarer is repatriated, or arising from the employment between those dates;

(b) shall provide financial security to assure compensation in the event of the death or long-term disability of a seafarer due to an occupational injury, illness or hazard, as set out in the Workmen's Compensation Act, 1987 (P.N.D.C.L. 187) or in the seafarers' employment agreement or any applicable collective agreement;

(c) is liable to defray the expense of medical care, including medical treatment and the supply of the necessary medicines and therapeutic appliances, and board and lodging away from home until the sick or injured seafarer has recovered or until the sickness or incapacity has been declared to be of a permanent character; and

(d) is liable to pay the cost of burial expenses in the case of death occurring on board or ashore during the period of employment.

(5) Where the sickness or injury of a seafarer results in incapacity, the shipowner shall

(a) pay full wages as long as the sick or injured seafarer remains on board or until the seafarer has been repatriated in accordance with regulation 17; and

(b) pay wages in whole or in part as prescribed in regulation 14 or as provided for in a collective agreement from the time when the seafarer is repatriated until recovery.

(6) Despite sub regulation (5), the liability of a shipowner to pay wages in whole or in part in respect of a seafarer who is no longer on board the ship is limited to sixteen weeks from the day of the injury or the commencement of the sickness.

(7) A shipowner is not liable in respect of

(a) an injury incurred otherwise than in the service of the ship;

(b) an injury, a sickness or death which is due to the wilful misconduct of the sick, injured or deceased seafarer;

(c) a sickness or an infirmity which was concealed by the seafarer at the time of the seafarer's engagement.

(8) A shipowner or a representative of the shipowner shall take measures to

(a) safeguard property left on board by a sick, injured or deceased seafarer; and

(b) return any property left on board

(i) to the seafarer, in the case of property left by a sick or an injured seafarer; or

(ii) to the next of kin, in the case of property left by a deceased seafarer.

Regulation 34—Health and safety protection and accident prevention

(1) A shipowner shall provide for each seafarer occupational health protection, consistent with the right of a seafarer to live, work and train on board ship in a safe and hygienic environment.

(2) The Authority shall adopt and publish in Maritime Circulars, guidelines for the management of the occupational health and safety of a seafarer on board the ship.

(3) A shipowner shall adopt and promote on board the ship, occupational, health and safety management policies and programmes in accordance with the guidelines referred to in sub regulation (2).

Regulation 35—Social security

(1) The provisions of the National Pensions Act, 2008 (Act 766) apply to a seafarer who is a citizen of this country or who is ordinarily resident in this country.

(2) A shipowner, who employs a seafarer from a country that is not a party to the Convention, shall ensure that the seafarer is provided with access to social security protection as set out in Maritime Circulars.

Miscellaneous

Regulation 36—Inspection and detention of Ghanaian ships

(1) An authorised officer may inspect a Ghanaian ship and if the authorised officer is satisfied that the ship does not comply with these Regulations or any other relevant enactment, the officer may detain the ship until the health and safety of the persons onboard the ship is secured.

(2) An authorised officer shall not unreasonably detain or delay a ship.

(3) An authorised officer who detains a ship pursuant to sub regulation (1) shall, within three working days of the detention, submit to the Authority a report stating the breach or non-compliance complained of and the remedial measures required to be taken by the ship.

Regulation 37—Inspection and detention of foreign ships

(1) An authorised officer may inspect a ship other than a Ghanaian ship when the ship is in a Ghanaian port and where the officer is satisfied that the ship does not comply with these Regulations or any other relevant law, the officer may

(a) send a report to the government of the country in which the ship is registered, and a copy of the report to the Director-General of the International Labour Office; and

(b) where conditions on board the ship are clearly hazardous to the health or safety of the seafarers,

(i) require the master to take the necessary corrective measures to rectify those conditions, or

(ii) detain the ship,

but the officer may take the corrective measures only where the ship has called at a Ghanaian port in the normal course of business or for operational reasons.

(2) Where the authorised officer takes either of the measures specified in sub regulation (1)(b), the officer shall immediately notify the consular or diplomatic representative of the State whose flag the ship is entitled to fly.

(3) An authorised officer shall not, in the exercise of the powers of that officer under this regulation, unreasonably detain or delay the ship.

Regulation 38—Onboard complaints procedure for Ghanaian ships

(1) A shipowner shall ensure that there is on board the ship at all times, an on-board complaint procedure that may be used by seafarers to lodge complaints relating to any matter that is alleged to constitute a breach of the requirements of the Convention

(2) A shipowner shall provide to each seafarer a copy of the onboard complaint procedure and a copy of the seafarers' employment agreement.

(3) A seafarer may report a complaint to the master and, where the seafarer considers it necessary, to the Authority.

(4) The onboard complaint procedure referred to in sub regulation (1) shall include

(a) the right of the seafarer to representation;

(b) safeguards against victimisation of the seafarer;

(c) contact information of the Authority and of the competent authority in the country of residence of the seafarer where the seafarer is not resident in Ghana, and

(d) the name of a person onboard the ship who may provide a seafarer with confidential and impartial advice and assist the seafarer with the onboard complaint procedure.

(5) An onboard complaint procedure shall not affect a seafarer's right to legal remedies or alternative dispute resolution.

Regulation 39—Onshore seafarer complaint-handling procedures

(1) A seafarer on a ship that calls at a port in this country, who alleges a breach of the requirements of the Convention, including the rights of seafarers, shall report the breach to the Authority.

(2) A seafarer who alleges a breach of the requirements of the Convention, including the rights of seafarers may report the breach to an authorised officer at the port of call where the ship is not in the country.

(3) An authorised officer who is investigating a complaint made under sub regulations (1) and (2) shall give the master, the shipowner and any other person involved in the complaint, an opportunity to be heard.

(4) An authorised officer shall ensure that a complaint made by a seafarer is kept confidential.

Regulation 40—Offences

A shipowner or master who contravenes a provision of these Regulations commits an offence, and where a penalty is not stated in the provision, is liable on summary conviction to a fine of not less than two hundred penalty units and not more than five hundred penalty units or a term of imprisonment of not less than one year and not more than two years.

Regulation 41—Interpretation

In these Regulations, unless the context otherwise requires,

“Act” means the Ghana Shipping Act, 2003 (Act 645);

“authorised officer” means a person appointed by the Authority;

“Authority” means the Ghana Maritime Authority;

“Convention” means the Maritime Labour Convention, 2006 adopted by the International Labour Organisation at Geneva on the 23rd February 2006;

“employment agreement” means the contract of employment and the article of agreement for seafarers referred to under regulation 13;

“gross tonnage” includes

(a) the gross tonnage that is calculated in accordance with the tonnage measurement regulations contained in Annex I of the International Convention successor Convention; and

(b) the gross tonnage which is included in the REMARKS column of the International Tonnage Certificate (1969) for ships covered by tonnage measurement interim scheme adopted by the International Maritime Organisation;

“Maritime Circular” means a Maritime Circular referred to in section 479A of the Act;

“Maritime Labour Certificate” means the certificate referred to under regulation 5, which proves that the ship satisfies the requirements of the Convention;

“recognised organization” means an organisation authorized by the Authority to carry out maritime labour inspections and to issue Maritime Labour Certificates to Ghanaian registered ships;

“seafarer recruitment and placement service” means a company or agency engaged in

(a) the recruitment of seafarers on behalf of ship owners; or

(b) the placement of seafarers with ship owners;

“shipowner” includes an organisation or a person who is the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of a ship;

“special purpose ship” means a ship constructed in compliance with the International Maritime Organisation Code of Safety for Special Purpose Ships, 1983 or the Code of Safety for Special Purpose Ships, 2008; and

“STCW Convention” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended.

Date of Gazette Notification: 21st December 2015.

Entry into force: 25th February 2016

SCHEDULE

FIRST SCHEDULE

Declaration of Maritime Labour Compliance

(Regulation 4(5))

GHANA MARITIME AUTHORITY

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 provisions of Article V and Title 5 of the Maritime Labour Convention, 2006 (referred to below as “the Convention”) under the authority of the Government of Ghana

By

Ghana Maritime Authority

With respect to the provisions of 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.

1. The undersigned declares, on behalf of the Authority that:

(1) The provisions of the Maritime Labour Convention are fully embodied in the requirements referred to below;

(2) These requirements are contained in the provisions referenced below and explanations concerning the content of those provisions are provided where necessary;

(3) The details of any substantial equivalencies under paragraphs 3 and 4 of Article VI are provided as listed below;

(4) Any exemptions granted by the Authority in accordance with Title 3 are clearly indicated in the provisions indicated below; and

(5) Any ship-type specific requirements have been clearly stated.

2. The requirements are

(1) Minimum age (Regulation 9)

.....
.....

(2) Medical certification (Regulation 10)

.....
.....

(3) Qualifications of seafarers (Regulation 11)

.....
.....

(4) Use of a licensed or certified or regulated private recruitment and placement service (Regulation 12)

.....
.....

(5) Seafarers' employment agreements (Regulation 13)

.....
.....
(6) Payment of wages (Regulation 14)

.....
.....
(7) Hours of work or rest (Regulation 15)

.....
.....
(8) Manning levels for the ship (Regulation 19)

.....
.....
(9) Accommodation (Regulation 20 to 27)

.....
.....
(10) On-board recreational facilities (Regulation 28)

.....
.....
(11) Food and catering (Regulation 31)

.....
.....
(12) On-board medical care (Regulation 32)

.....
.....
(13) Health and safety and accident prevention (Regulation 34)

.....
.....
(14) On-board complaint procedure (Regulation 38)

.....
.....
Name:

Title:

Signature:

Place:

Date:

(Seal or stamp of the Authority, as appropriate)

Substantial equivalencies

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

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

.....
.....
.....
.....

No equivalency has been granted.

Name:

Title:

Signature:

Place:

Date:

(Seal or stamp of the Authority, as appropriate)

Exemptions

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

4. The following exemptions granted by the Authority as provided in Title 3 of the Convention are noted:

.....
.....
.....
.....

No exemption has been granted.

Name:

Title:

Part II

Declaration of Maritime Labour Compliance

Measures adopted to ensure ongoing compliance between inspections

which the Declaration is attached, to ensure ongoing compliance between inspections:

(State below the measures drawn up to ensure compliance with each of the items in Part I)

1. Minimum age (Regulation 9)

.....

2. Medical certification (Regulation 10)

.....

...

3. Qualifications of seafarers (Regulation 11)

.....

....

4. Use of an[sic] licensed or certified or regulated private recruitment and Placement service (Regulation 12)

.....
....

5. Seafarers employment agreements (Regulation 13)

.....
....

6. Payment of wages (Regulation 14)

.....
.

7. Hours of work or rest (Regulation 15)

.....
....

8. Manning levels for the ship (Regulation 19)

.....
....

9. Accommodation (Regulation 20 to 27)

.....
...

10. On-board recreational facilities (Regulation 28)

.....
...

11. Food and catering (Regulation 31)

.....
...

12. On-board medical care (Regulation 32)

.....
.

13. Health and safety and accident prevention (Regulation 34)

.....

14. On-board complaint procedures (Regulation 38)

.....
...

I hereby certify that the above measures have been drawn up to ensure ongoing compliance,
between inspections, with the requirements listed in Part-I

Name of shipowner:

Company address:

Name of the authorised signatory:

Title:

Signature of the authorised signatory:

Date:

(Stamp or seal of the shipowner)

The above measures have been reviewed by (insert name of Authority or duly recognized organisation) and, following inspection of ship, have been determined as meeting the purposes set out under paragraph 10(b) of Standard A5.1 .3, regarding measures to ensure initial and ongoing compliance with the requirements set out in Part I of this Declaration.

Name:

Title:

Address:

Signature:

Place:

Date:

(Seal or stamp of the authority, as appropriate)

SECOND SCHEDULE

Maritime Labour Certificate

(Regulation 5(4))

GHANA MARITIME AUTHORITY

MARITIME LABOUR CERTIFICATE

Issued under the provisions of Article V and Title 5 of the Maritime Labour Convention, 2006 (referred to below as “the Convention”) under the authority of the Government of Ghana

By

Ghana Maritime Authority

Particulars of the Ship

Name of ship:

Distinctive number or letters:

Port of registry:

Date of registry:

Gross tonnage1:

IMO number:

Type of ship:

Name and address of shipowner2:

This is to certify:

1. That this ship has been inspected and verified to be in compliance with the requirements of the Convention, and the provisions of the attached Declaration of Maritime Labour Compliance.
2. The seafarers working and living conditions specified in Appendix A5-1 of the Convention were found to correspond to the requirements of this country in respect of the Convention. These requirements are summarised in the Declaration of Maritime Labour Compliance, Part I .

This Certificate is valid untilsubject to inspections in accordance with Standards A5 .1 .3 and A5.1 .4 of the Convention.

This Certificate is valid only when the Declaration of Maritime Labour compliance issued atonis attached.

Completion date of the inspection on which this Certificate is based was Issued aton.....

Signature of the duly authorized official issuing the Certificate

(Seal or stamp of issuing Authority as appropriate)

Endorsements for mandatory intermediate inspection and, if required, any additional inspection

This is to certify that the ship was inspected in accordance with Standards A5.1 .3 and A5 .1 .4 of the Convention and that the seafarers' working and living conditions specified in Appendix A5-I of the Convention were found to correspond to the above-mentioned country's national requirements implementing the Convention Intermediate inspection:

Intermediate inspection: Signed.....

(Signature of authorised official)

(To be completed between the second and third anniversary dates)

Place

Date

(Seal or stamp of authority, as appropriate)

Additional endorsements (if required)

This is to certify that the ship was the subject of an additional inspection for the purpose of verifying that the ship continued to be in compliance with the national requirements implementing the Convention, as required by Standard A3 .1, paragraph 3, of the Convention (re-registration or substantial alteration of accommodation) or for other reasons.

Additional inspection: Signed.....

(If required) (Signature of authorised official)

Place

Date

(Seal or stamp of Authority, as appropriate)

Additional inspection: Signed

(If required) (Signature of authorised official)

Place

Date

(Seal or stamp of Authority, as appropriate)

Additional Inspection: Signed

(If required) (Signature of authorised official)

Place

Date

(Seal or stamp of Authority, as appropriate)

THIRD SCHEDULE

Interim Maritime Labour Certificate

(Regulation 6(1))

GHANA MARITIME AUTHORITY

Interim Maritime Labour Certificate

[Issued under the provisions of Article V and Title 5 of the Maritime Labour Convention, 2006 (referred to below as “the Convention”) under the authority of the Government of Ghana

By

Ghana Maritime Authority

Particulars of Ship

Name of Ship:

Distinctive Number or Letters:

Port of Registry:

Date of Registry:

Gross Tonnage1:

IMO Number:

Type of Ship:

Name and Address of Shipowner2:

.....
.....
.....

This is to certify[sic]:

This is to certify, for the purposes of paragraph 7 of Standard A5 .1 .3 of the Convention, that:

- (a) This ship has been inspected, as far as reasonable and practicable, for the matters listed in Appendix A5-I to the Convention, taking into account verification of items under (b), (c) and (d) below;
- (b) The shipowner has demonstrated to the Authority or recognized organisation that the ship has adequate procedures to comply with the Convention;
- (c) The master is familiar with the requirements of the Convention and the responsibilities for implementation; and
- (d) Relevant information has been submitted to the Authority or recognised organisation to produce a Declaration of Maritime Labour Compliance.

This Certificate is valid untilsubject to inspections in accordance with Standards A5 .1 .3 and A5 .1 .4 of the Convention.

Completion date of the inspection referred to under (a) above was..... Issued at..... on.....

.....

Signature of the duly authorized official issuing the Interim Certificate.

(Seal or stamp of issuing authority, as appropriate)

FOOTNOTES

1 For ships covered by the tonnage measurement interim scheme adopted by the IMO, the gross tonnage is that which is included in the REMARKS column of the International Tonnage Certificate (1969). See Article 11 (1) (c) of the Convention.

2 Shipowner means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organizations or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. See Article 11 (1) (j) of the Convention.

1 For ships covered by the tonnage measurement interim scheme adopted by the IMO, the gross tonnage is that which is included in the REMARKS column of the International Tonnage Certificate (1969). See Article 11 (1) (c) of the Convention.

2 Shipowner means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organizations or persons fulfil certain of the duties or responsibilities on behalf of the shipowner . See Article 11 (1) (j) of the Convention.

HON. DZIFA ATTIVOR

Minister responsible for Transport

Date of Gazette Notification: 21st December 2015.

Entry into force: 25th February 2016.