
First published in the Government *Gazette*, Electronic Edition, on 11th March 2014 at 5:00 pm.

No. S 176

MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) ACT 2014 (ACT 6 OF 2014)

MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) (FORMS, CERTIFICATES AND FEES) REGULATIONS 2014

ARRANGEMENT OF REGULATIONS

Regulation

1. Citation and commencement
 2. Form of Declaration of Maritime Labour Compliance
 3. Form of certificates
 4. Replacement of lost documents
 5. Fees
 6. Goods and services tax
- The Schedules
-

In exercise of the powers conferred by sections 79(1) and 82 of the Merchant Shipping (Maritime Labour Convention) Act 2014, the Maritime and Port Authority of Singapore, with the approval of the Minister for Transport, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Maritime Labour Convention) (Forms, Certificates and Fees) Regulations 2014 and shall come into operation on 1st April 2014.

Form of Declaration of Maritime Labour Compliance

2.—(1) The Declaration of Maritime Labour Compliance issued under section 50 of the Act shall be in the form set out in the First Schedule.

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- (2) Unless otherwise required —
- (a) the Declaration of Maritime Labour Compliance shall be completed neatly and legibly in accordance with such directions as may be specified in the form; and
 - (b) all particulars to be inserted in the Declaration of Maritime Labour Compliance shall be in the English language, and may be typewritten or written by hand in ink in block letters.
- (3) The Director may, if he thinks fit, accept any Declaration of Maritime Labour Compliance that is not in compliance with these Regulations, if satisfied that such non-compliance is not substantial, and may refuse to accept any document that is not in compliance with these Regulations.

Form of certificates

- 3.—(1) The interim Maritime Labour Certificate issued under section 51 of the Act shall be in the form set out in the Second Schedule.
- (2) The Maritime Labour Certificate issued under section 52 of the Act shall be in the form set out in the Third Schedule.

Replacement of lost documents

- 4.—(1) When any certificate or other document issued by the Director or the Authority for the purposes of the Act is lost, destroyed or so defaced that the particulars are no longer legible, the shipowner shall report the loss, destruction or defacement to the Authority within 14 days.
- (2) Subject to the shipowner fulfilling any condition imposed by the Authority and on his paying to the Authority the prescribed fee, a replacement certificate or document may be issued to him by the Director or the Authority, as the case may be.
- (3) No fee is payable for the replacement of a certificate or other document that is lost, destroyed or defaced as a result of shipwreck or other marine hazard.

Fees

5.—(1) There shall be paid to the Authority the appropriate fees in respect of the matters specified in the Fourth Schedule.

(2) The fees payable to the Authority in respect of the issuance or submission of any document shall be paid at the time the document is issued or lodged, unless otherwise determined by the Director.

(3) The fees shall be paid in such manner as may be determined by the Director.

(4) No fee so paid shall be refundable in respect of any document surrendered or cancelled under the provisions of the Act.

Goods and services tax

6.—(1) Any goods and services tax that is chargeable under the Goods and Services Tax Act 1993 on any supply of goods or services specified in the Fourth Schedule is calculated based on the rate in force at the time the goods or services are supplied.

(2) In respect of the fee for any supply of goods or services that is chargeable with goods and services tax, an amount equivalent to 1% of the fee (exclusive of such tax) is waived for the period between 1 January 2023 and 31 December 2023 (both dates inclusive).

[S 1014/2022 wef 01/01/2023]

FIRST SCHEDULE

Regulation 2(1)

MARITIME LABOUR CONVENTION 2006

DECLARATION OF MARITIME LABOUR COMPLIANCE – PART I

(Note: This Declaration must be attached to the ship's Maritime Labour Certificate)

Issued under the authority of: THE MARITIME AND PORT AUTHORITY
OF SINGAPORE

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

FIRST SCHEDULE — *continued*

Name of Ship	IMO Number	Gross Tonnage

is maintained in accordance with Standard A5.1.3 of the Convention.

The undersigned declares, on behalf of the abovementioned competent authority, that:

- (a) the provisions of the Maritime Labour Convention are fully embodied in the national requirements referred to below;
- (b) these national requirements are contained in the national provisions referenced below; explanations concerning the content of those provisions are provided where necessary;
- (c) the details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided < under the corresponding national requirement listed below>< in the section provided for this purpose below> (*strike out the statement which is not applicable*);
- (d) any exemptions granted by the competent authority in accordance with Title 3 are clearly indicated in the section provided for this purpose below; and
- (e) any ship-type specific requirements under national legislation are also referenced under the requirements concerned.

1. Minimum age (Regulation 1.1)
2. Medical certification (Regulation 1.2)
3. Qualifications of seafarers (Regulation 1.3)
4. Seafarers' employment agreements (Regulation 2.1)
5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)
6. Hours of work or rest (Regulation 2.3)
7. Manning levels for the ship (Regulation 2.7)
8. Accommodation (Regulation 3.1)
9. On-board recreational facilities (Regulation 3.1)
10. Food and catering (Regulation 3.2)
11. Health and safety and accident prevention (Regulation 4.3)

FIRST SCHEDULE — *continued*

- 12. On-board medical care (Regulation 4.1)
- 13. On-board complaint procedures (Regulation 5.1.5)
- 14. Payment of wages (Regulation 2.2)
- 15. Financial security for repatriation (Regulation 2.5)
- 16. Financial security relating to shipowners' liability (Regulation 4.2)

Name:

Title:

Signature:

Place:

Date:

(Seal or stamp of the authority, as appropriate)

[S 24/2017 wef 18/01/2017]

Substantial equivalencies

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

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

.....

.....

No equivalency has been granted.

Name:

Title:

Signature:

Place:

Date:

FIRST SCHEDULE — *continued*

(Seal or stamp of the authority, as appropriate)

Exemptions

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

The following exemptions granted by the competent authority as provided in Title 3 of the Convention are noted:

.....
.....

No exemption has been granted.

Name:

Title:

Signature:

Place:

Date:

(Seal or stamp of the authority, as appropriate)

DECLARATION OF MARITIME LABOUR COMPLIANCE – PART II

Measures adopted to ensure ongoing compliance between inspections

The following measures have been drawn up by the shipowner, named in the Maritime Labour Certificate to which this 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 1.1) □

.....

2. Medical certification (Regulation 1.2) □

.....

3. Qualifications of seafarers (Regulation 1.3) □

.....

FIRST SCHEDULE — *continued*

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|---|---|
| 4. Seafarers' employment agreements (Regulation 2.1) | □ |
| | |
| 5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4) | □ |
| | |
| 6. Hours of work or rest (Regulation 2.3) | □ |
| | |
| 7. Manning levels for the ship (Regulation 2.7) | □ |
| | |
| 8. Accommodation (Regulation 3.1) | □ |
| | |
| 9. On-board recreational facilities (Regulation 3.1) | □ |
| | |
| 10. Food and catering (Regulation 3.2) | □ |
| | |
| 11. Health and safety and accident prevention (Regulation 4.3) | □ |
| | |
| 12. On-board medical care (Regulation 4.1) | □ |
| | |
| 13. On-board complaint procedures (Regulation 5.1.5) | □ |
| | |
| 14. Payment of wages (Regulation 2.2) | □ |
| | |
| 15. Financial security for repatriation (Regulation 2.5) | □ |
| | |
| 16. Financial security relating to shipowners' liability (Regulation 4.2) | □ |
| | |

[S 24/2017 wef 18/01/2017]

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 shipowner¹:

.....

FIRST SCHEDULE — *continued*

Company address:

.....

Name of the authorised signatory:

.....

Title:

.....

Signature of the authorised signatory:

.....

Date:

(Stamp or seal of the shipowner¹)

The above measures have been reviewed by (*insert name of competent authority or duly recognised organisation*) and, following inspection of the ship, have been determined as meeting the purposes set out under Standard A5.1.3, paragraph 10(b), 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

Regulation 3(1)

INTERIM MARITIME LABOUR CERTIFICATE

Issued under the provisions of Article V and Title 5 of the
Maritime Labour Convention, 2006

¹ *Shipowner* means the owner of the ship or another organisation 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 organisations or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. See Article II(1)(j) of the Convention.

SECOND SCHEDULE — *continued*

(referred to below as “the Convention”)
under the authority of the Government of
the Republic of Singapore

by

*(full designation and address of the competent authority or recognised
organisation duly authorised under the provisions of the Convention)*

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 the shipowner²

.....

This is to certify for the purpose of Standard A5.1.3, paragraph 7, 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 competent authority or recognised 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

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 II(1)(c) of the Convention.

² *Shipowner* means the owner of the ship or another organisation 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 organisations or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. See Article II(1)(j) of the Convention.

SECOND SCHEDULE — *continued*

(d) relevant information has been submitted to the competent authority or recognised organisation to produce a Declaration of Maritime Labour Compliance.

This Certificate is valid until subject to inspections in accordance with Standards A5.1.3 and A5.1.4.

Completion date of the inspection referred to under (a) above was

Issued at on

Signature of the duly authorised official issuing the interim certificate
.....

(Seal or stamp of issuing authority, as appropriate)

THIRD SCHEDULE

Regulation 3(2)

MARITIME LABOUR CERTIFICATE

(Note: This Certificate shall have a Declaration of Maritime Labour Compliance attached)

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
the Republic of Singapore

by

(full designation and address of the competent authority or recognised organisation duly authorised under the provisions of the Convention)

Particulars of the ship

Name of ship

Distinctive number or letters

Port of registry

Date of registry

Gross tonnage¹

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 II(1)(c) of the Convention.

 THIRD SCHEDULE — *continued*

IMO number

Type of ship

Name and address of the 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. That the seafarers' working and living conditions specified in Appendix A5-I of the Convention were found to correspond to the abovementioned country's national requirements implementing the Convention. These national requirements are summarised in the Declaration of Maritime Labour Compliance, Part I.

This Certificate is valid until subject 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 at on is attached.

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

.....

Issued at on

Signature of the duly authorised 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

² *Shipowner* means the owner of the ship or another organisation 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 organisations or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. See Article II(1)(j) of the Convention.

THIRD SCHEDULE — *continued*

correspond to the abovementioned country’s national requirements implementing the Convention.

Intermediate inspection: Signed
(to be completed between the second and third anniversary dates)

(Signature of authorised official)

Place

Date

(Seal or stamp of the 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 the authority, as appropriate)

Additional inspection: Signed
(if required)

(Signature of authorised official)

Place

Date

(Seal or stamp of the authority, as appropriate)

 THIRD SCHEDULE — *continued*

Additional inspection: Signed

(if required)

(Signature of authorised official)

Place

Date

(Seal or stamp of the authority,
as appropriate)

FOURTH SCHEDULE

Regulations 5(1) and 6(1)

FEES

- | | |
|--|---|
| 1. Issue of Part I of the Declaration of Maritime Labour Compliance | \$70 |
| 2. Replacement of Part I of the Declaration of Maritime Labour Compliance | \$75.60 (inclusive of goods and services tax) |
| 3. Issue of certificate of authorisation to operate a seafarer recruitment and placement service | \$100 |
| 4. Replacement of certificate of authorisation to operate a seafarer recruitment and placement service | \$108 (inclusive of goods and services tax) |
| 5. Application for a certificate of proficiency as a ship's cook | \$25 |
| 6. Issue of a certificate of proficiency as a ship's cook | \$18 |
| 7. Replacement of a certificate of proficiency as a ship's cook | \$19.44 (inclusive of goods and services tax) |

[S 1014/2022 wef 01/01/2023]

Made this 12th day of March 2014.

LUCIEN WONG
Chairman,
Maritime and Port Authority of
Singapore.

[MPA 46/11.C09.V01/LSK; AG/LLRD/SL/180A/2013/11 Vol. 1]