

## Annex I



### Format of DMLC Part I

Maritime Labor Convention, 2006

Declaration of Maritime Labor Compliance – Part I

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

Issued under the authority of the Government of Belize by the  
*INTERNATIONAL MERCHANT MARINE REGISTRY OF BELIZE*

*in accordance with Part F, section 1.1.3 (Maritime Labor Convention) of Resolution DG-004*  
With respect to the provisions of the Maritime Labor Convention, 2006, the following referenced ship:

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:

- the provisions of the Maritime Labor Convention are fully embodied in the national requirements referred to below;
- these national requirements are contained in the national provisions referenced below; explanations concerning the content of those provisions are provided where necessary;
- the details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided in the section for this purpose below;
- any exemptions granted by the competent authority in accordance with Title 3 are clearly indicated in the section provided for this purpose below; and
- any ship-type specific requirements under national regulation are also referenced under the requirements concerned.

#### **1. Minimum age (Regulation 1.1)**

*1 Belize Resolution DG-001, Part B paragraph 10.1.1, Part H paragraphs 1.1.2.1 & 2.1.2.1 (Requirements for merchant Marine Personnel Certification, Belize Resolution DG-004, Part B. 1 (Maritime Labor Convention) .* Employment of any seafarers under the age of 16 is prohibited. Night work is prohibited for seafarers under age 18. which provides for exception to night work for seafarers under age 18. Night is defined as a period of at least nine (9) hours starting no later than 0000 midnight and ending no earlier than 5:00 a.m., which period shall be specified in the DMLC Part II. The employment, engagement or work of seafarers under age 18 is prohibited where the work is likely to jeopardize their health or safety.

#### **2. Medical certification (Regulation 1.2)**

*1 Resolution DG-001 (Requirements for merchant Marine Personnel Certification), Part E, section 2 (Medical Fitness), Belize Resolution DG-004Convention), Part B, section 2 (Medical Certificate).* Require all seafarers to always possess a "Fit for Duty" Physical Examination Form completed by a (duly qualified) physician/ medical practitioner licensed/certificated in the place of examination, and/or who is recognized by the Competent Authority at the place of examination for the issuance of seafarer's medical certification, and such standard medical form found in Annex VI of Resolution DG-001 should be issued within the past two years of signing the shipping articles. However, for seafarers under

the age of 18, the maximum period of validity of the certificate shall be 1 year. In urgent cases a seafarer may be permitted to work without a valid medical certificate in accordance with Resolution DG-004 (Part B, section 2.5), for a period of not more than three (3) months (in accordance with Standard A1.2.8(b)), until the next port of call where the seafarer can obtain a medical certificate, provided that the seafarer concerned is in possession of an expired medical certificate of recent date but not to exceed ninety (90) days from the date of expiry of the said medical certificate that is in the seafarer's possession. Medical certificate must be provided in the English Language.

### **3. Qualifications of seafarers (Regulation 1.3)**

*1 Belize Resolution DG-001 (Requirements for merchant Marine Personnel Certification)*

Provide standards for training and certification requirement for seafarers employed on board Belizean registered ships.

### **4. Seafarers' employment agreements (Regulation 2.1)**

*1 Belize Resolution DG-004(Maritime Labor Convention), Parte C, section 1 (Seafarers employment agreements):* provide for execution of a Seafarers Employment Agreement requirements - Before the Master a ship to which resolution DG-004 is applicable, there shall be in force a Seafarers Employment Agreement with every seaman on board his ship, except with persons who are apprenticed to, or the vessel's owner. The Seafarers Employment Agreement shall be written or printed and shall be subscribed by every seaman on the ship and shall state the period of engagement or voyage or voyages and the term or terms for which each seaman shall be shipped, and the rate of pay for each, and such other items as may be required by the resolution. The Master is also required to sign the Seafarers Employment Agreement.

*2 Belize Resolution DG-004(Maritime Labor Convention) Part C, section 1.2 & 1.4 (Seafarers employment agreements):* The seafarers shall be given an opportunity to review and seek advice on the agreement, including any collective bargaining agreement (CBA) that forms part of the employment agreement, before signing, to ensure that they have freely entered into the agreement with a sufficient understanding of their rights and responsibilities. The ship owner and the seafarer shall each have a signed original of the employment agreement.

*3 Belize Resolution DG-004(Maritime Labor Convention), Parte C, section 1.7 (Wages):* provides for wages due to early termination; requires prior notification (of at least 7 days) for early termination of the seafarer's employment. Resolution DG-004, Part C, section 1.8, provides for termination of the seafarers' employment agreement at a shorter notice. Part C, section 1.6, also provides the minimum particulars to be included in the Seafarers Employment Agreement.

### **5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)**

*1 Belize Resolution DG-004(Maritime Labor Convention), Parte B, section 4 (Recruitment and placement):* provides for recruitment and placement. It provides for seafarer's access to efficient, adequate and accountable system for finding employment on board ship without charge to the seafarer. It also provide that ship owners who use seafarer's recruitment and placement services that are based in countries or territories in which MLC-2006 does not apply are required to ensure that those services conform to the standards set in the resolution DG-004.

### **6. Hours of work or rest (Regulation 2.3)**

*1 Belize Resolution DG-004(Maritime Labor Convention), Parte C, section 3 (Hours of work and hours of rest)* provide for rest period; Section 3.4 incorporates the provision reflecting the minimum 72 hours in any seven day period; Interval between consecutive hours of rest cannot be more than 14 hours. Resolution DG-004 includes Annexes reflecting the Belizean standardize format for the table of shipboard working arrangement for posting and the record of work hours/rest periods (see Annex VII), a copy of which is required to be signed/endorsed by the Master/ship owners' representative or a person authorized by the Master, and by the seafarer. A copy must be provided to the seafarer. Other forms of record keeping may be accepted provided the required information is included. By the foregoing, the Administration has adopted the minimum hours of rest standard. However, with proper notice to the IMMARBEL, ship owners may elect to apply the maximum hours of work standard, but shall not implement both on the same vessel.

*2 Belize Resolution DG-004(Maritime Labor Convention), Parte C, section 4.2 (Entitlement to leave)* provides for seafarer vacation allowance/paid holiday per year, and annual leave with pay calculated on the basis of a minimum of 2.5 calendar days per month employment.

## **7. Manning levels for the ship (Regulation 2.7)**

1 *Belize Statutory Instrument No. 99 of 1999, Section 5.* Requires that the company and the master shall ensure that the ship does not proceed to sea unless there is on board a valid safe manning document issued in respect of the ship and the manning of the ship complies with that document.

2 *Belize Resolution DG-004 (Maritime Labor Convention), Part C. 7 (Manning levels)* require on board a sufficient number of seafarers to ensure that they operated safely, efficiently and with due regard to security. *Part C.7.2 of Resolution DG-004*, reflects minimization of excessive hours of work to ensure sufficient rest and limit fatigue of seafarers.

## **8. Accommodation (Regulation 3.1)**

1 *Belize Resolution DG-004 (Maritime Labor Convention), Parte C, section 3 (Hours of work and hours of rest)* provide for specific detail requirement for ships constructed on/or after MLC 2006 enters into force and consistent with the requirements of A3.1 covering the size of rooms and other accommodation spaces; heating and ventilation; and other ambient factors; sanitary facilities; lighting and hospital accommodation; laundry facilities and mess rooms. In accordance with Resolution DG-004, Part A, section 2.4, certain exemptions may be provided to certain ships. Resolution DG-004, Part D, Section 1.7, includes documented inspections of accommodation and records to be maintained.

## **9. On-board recreational facilities (Regulation 3.1)**

1 *Belize Resolution DG-004 (Maritime Labor Convention), Parte D, section 1.18 (Recreational facilities)* provide for specific detail requirements for appropriate recreational facilities.

## **10. Food and catering (Regulation 3.2)**

1 *Belize Resolution DG-004 (Maritime Labor Convention), Parte D, section 2.1 (Food and catering)* require to be maintained on board Belizean flag ships a sufficient supply of water, and of food of suitably nutritive quality and variety taking due regard of the number of seafarers on board, their religious requirements, custom and habit (cultural practices), and which shall be properly and hygienically prepared, dispensed and served at no cost to the seafarers. Resolution DG-004, Part D, Section 2.6 & 2.7, includes documented inspections of food quality and water supply and related accessories and records to be maintained.

2 *Belize Resolution DG-004 (Maritime Labor Convention), Parte D, section 2.2(c) (Food and catering)* required that all Seafarers employed as cooks on board Belize registered ships to have completed a training course or program approved or recognized by IMMARBE as outlined in Standard A3.2.4 Catering staff shall be properly trained or instructed for their position. Ship owners shall ensure that seafarers, who are engaged as ships' cooks are trained, qualified and found competent for the position.

## **11. Health and safety and accident prevention (Regulation 4.3)**

1 *Belize Resolution DG-004 (Maritime Labor Convention), Parte E, section 3 (Health and safety protection and accident prevention)* require each vessel to appoint from amongst the crew a suitable person and a committee responsible for accident prevention, and such person or committee shall in addition to any other duties assigned by the Master ensure that any conditions aboard the vessel not in substantial compliance with the applicable provisions of the accident prevention code including the ILO code of practice entitled Accident prevention on board ship at sea and in port, including inspection, reporting and correction of unsafe conditions of occupational accidents on board which shall be investigated.

## **12. On-board medical care (Regulation 4.1)**

1 *Belize Resolution DG-001 (Requirements for Merchant Marine Personnel Certification), Part E, Section 2.3 (Medical Fitness)* has adopted a medical report forms for use by the Ships' Masters and relevant onshore and onboard medical personnel. A copy of the forms which can be found in the Annex VI to the Resolution DG-001. *Belize Resolution DG-004 (Maritime Labor Convention), Parte E, section 1.4 (Medical care on board ship and ashore)* The form, when completed and its contents shall be kept confidential and shall only be used to facilitate the treatment of seafarers.

2 *Belize Resolution DG-004 (Maritime Labor Convention), Parte E, section 1.2 & 1.3 (Medical care on board ship and ashore)* require that Seafarers on Belize flag ships shall have access to prompt and adequate medical care whilst working on board, and such medical care be provided by the ship owner at no cost to the seafarers.

3 *Belize Resolution DG-004(Maritime Labor Convention), Parte E, section 1.6 (Medical care on board ship and ashore)* require that every Belizean ship shall carry and maintain an adequate medicine chest bearing in mind the number of persons aboard and the nature and duration of the voyage. In the determination of the contents of the chest consideration shall be given to the recommendations of the International Labor Organization/WHO International Medical Guide for Ships.

4 *Belize Resolution DG-004(Maritime Labor Convention), Parte E, section 1.6(d) (Medical care on board ship and ashore)* Seafarers designated to provide medical first aid or designated to take charge of medical care shall meet the standard of competence respectively specified in the applicable sections of the International Convention on Standards of Training, Certification and Watch keeping, 1978, as amended.

5 *Belize Resolution DG-004(Maritime Labor Convention), Parte E, section 2.5 (Shipowners' liability)* ensures that ship owners are liable to bear the costs for seafarers working on their ships in respect of health, medical protection, medical care, sickness and injury of the seafarers occurring between the date of commencing duty and the date upon which they are deemed duly repatriated, or arising from their employment between those dates.

**13. On-board complaint procedures (Regulation 5.1.5)**

1 *Belize Resolution DG-004(Maritime Labor Convention), Parte F, section 1.5 (On-board complaint procedures)* provide for Conciliation, Mediation and Arbitration of labor disputes, differences or grievances. *Section 1.5.7* requires that all complaints and the decisions on them shall be recorded and a copy provided to the seafarer concerned.

**14. Payment of wages (Regulation 2.2)**

1 *Belize Resolution DG-004(Maritime Labor Convention), Parte B, section 2 (Wages)* provides for Payment of Wages, as follows: Commencement and Termination. - Wages shall commence on the day specified and agreed to in the Seafarers Employment Agreement. Normal working hours' standard for seafarers shall be based on an eight (8) hour day with one day of rest per week and rest on public holidays.

2 *Section 2,* provides for electronic transfer of wages and for proper accounting statement for the seafarer.

3 *Section 2,* A seaman is entitled to receive currency agreed to in the Seafarers Employment Agreement; Seafarers shall be paid in full at no greater than monthly intervals in accordance with their employment agreements. Seafarers shall be given a monthly account of the payment due and the amounts paid, including wages, any additional payments and the rate of exchange used, if applicable.

Stamp of the authority

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Signature:

Name:

Title:

Place:

Date:

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):

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No Equivalency has been granted.

Name:  
Title: General Director  
Signature: .....  
Place: .....  
Date: .....  
(Seal or stamp of the authority,  
as appropriate)

Exemptions

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

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

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No Exemption has been granted.

Name:  
Title: General Director  
Signature: .....  
Place: .....  
Date: .....  
(Seal or stamp of the authority,  
as appropriate)