

 <p style="text-align: center;">The Republic of Palau Palau International Ship Registry <i>“A New Vision of Quality in Ship Registration Services”</i></p>	MN No. 12-013
	Revision No. 00
	Issue Date: 2012

MARINE NOTICE 12-013 – MINIMUM HOURS OF REST

To: ALL SHIPOWNERS, MANAGERS, MASTERS, REGISTRATION OFFICERS AND
RECOGNIZED ORGANIZATIONS

Subject: MINIMUM HOURS OF REST

1. Purpose

1.1 The purpose of this Marine Notice is to clarify the requirements with regard to the limits on the minimum hours of rest and related provisions, and to prescribe the standard formats for the table of shipboard working arrangements and record of hours of rest.

2. Reference

2.1 The Maritime Labour Convention 2006 (MLC 2006) Regulation 2.3 and STCW Convention.

3. Applicability

3.1 This Marine Notice is applicable to all vessels registered with the Republic of Palau with the exception of fishing vessels and non-commercial yachts.

4. General Requirements

4.1 Reference to the above mandates that each Member State shall (within specified limits) mandate either a maximum number of hours of work, or minimum number of hours of rest, for a given period of time. Therefore, this Administration has established a minimum hours of rest standard with which shipowner and/or operators must comply.



- 4.2 The minimum limits on hours of rest provided under reference 4.1 above are as follows:
 - a. 10 hours in any 24-hour period, which may be divided into no more than two (2) periods – one of which shall be at least six (6) hours in length, and no more than 14 hours between any consecutive periods; and
 - b. 77 hours in any seven-day period.
- 4.3 Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations and by international instruments, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.
- 4.4 When a seafarer is on call, such as when a machinery space is unattended, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.
- 4.5 Notwithstanding paragraph 4.2, the Master shall have the right to suspend the minimum limits on hours of rest and require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. In such cases, and as soon as practicable after normal conditions have been restored, the Master shall ensure the seafarers are provided with an adequate period of rest.
- 4.6 While reference to STCW Convention, 1978, and the STCW Code, as amended above provides for specific exceptions from the minimum limits on hours of rest, exceptions to these limits are only permitted when recognized within a collective agreement.
- 4.7 Ultimately, it is the responsibility of the shipowner and/ or operator to ensure that all seafarers employed onboard its vessels adheres to the minimum limits on hours of rest prescribed in paragraph 4.2. The Company shall consider the trade in which the ship is engaged and the workload of the crew, which may require assignment of additional personnel for the safe execution of tasks with respect to SMS duties in normal operations and during emergencies.

5. Table of Shipboard Working Arrangements

- 5.1 The MLC 2006 mandates that the posting, in an easily accessible place, of a table with the shipboard working arrangements, which should be written in the working language or languages of the ship and in English and which shall contain for every position at least:
 - a. the schedule of service at sea and service in port; and
 - b. the maximum hours of work or the minimum hours of rest required by national laws or regulations or applicable collective agreements.



- 5.2 The table shall be specific to each vessel, and shall be prepared by the shipowner and/or operator. To facilitate preparation of this table, a standard format has been established by the Administrator based on IMO/ILO Guidelines, and is provided under Annex I, Table of Shipboard Working Arrangements, of this Notice.

6. Hours of Rest

- 6.1 Each seafarer is required to maintain a record of his/her daily hours of rest on a daily basis.
- 6.2 The Administrator has developed a standard format for the record of daily hours of rest, based on IMO/ILO Guidelines and is provided under Annex II, Records of Hours of Rest, of this Marine Notice. As with the table of shipboard working arrangements, nothing precludes the shipowner and/or operator from developing or adapting such records unique to the Company, including electronic recordkeeping, provided that at least the minimum criteria and information within the standard format are maintained.
- 6.3 The records of daily hours of rest shall be maintained in English and the working language(s) of the ship, if not English. Each seafarer shall receive a copy of the records pertaining to him or her, which shall be endorsed by the Master, or a person authorized by the Master, and by the seafarer. The principal purpose for the record is to allow monitoring and to provide documentary evidence of compliance with the minimum hours of rest provisions as mandated in this Marine Notice.
- 6.4 The Convention does not specify a period of record retention; therefore, completed records may be kept and/or disposed of according to the established practices of the Company. Notwithstanding, in order to provide a sufficient duration to allow ongoing monitoring of compliance, records shall be made available on board for each seafarer during their full time on board or for 12 months, whichever is greater.

7. Young Seafarers

- 7.1 While the vessel is in sea or in port,:
- The working hour of young seafarers should not exceed eight hours per day and 40 hours per week and overtime should be worked only where unavoidable for safety reasons;
 - Sufficient time should be allowed for all meals and young seafarers should be assured of a break of at least one hour for the main meal of the day; and
 - Young seafarer should be allowed a 15-minute rest period as soon as possible following each two hours of continuous work.
- 7.2 The Master may allow exceptions to 7.1 above where:



- a. They are impracticable for young seafarer in the deck, engine room and catering departments assigned to Watchkeeping duties or working on a rostered shift-work system; or
- b. The effective training of young seafarer in accordance with established programs and schedules would be impaired.

7.3 The reasons for exemptions should be recorded in the Official Log Book.

8. Oil Pollution Act of 1990 (OPA 90)

- 8.1 For vessels operating within United States waters to which OPA 90 requirements apply, as the limit specified in paragraph 4.2.a is more stringent than the OPA 90 limitation of no more than 15 hours work in any 24 hour period, adherence to the minimum limit of 10 hours of rest in any 24 hour period would be in compliance with both STCW/MLC, 2006 and OPA 90 requirements.
- 8.2 However, the OPA 90 restriction of no more than 36 hours of work in any 72 hour period is unique and distinct from the limits prescribed under this Marine Notice. Therefore, adherence to the limit specified in paragraph 4.2.b may not ensure compliance with this unique 72 hour period limit. Accordingly, it is advised that ship owners and operators take measures which ensure that the most onerous limits for all periods (24-hour, 72-hour and 7-day periods) are met while operating under OPA 90 regulations.

9. Contact:

Any further information requests and inquiries concerning the subject for this notice Marine Notice should be directed to the Head Office of the Maritime Administrator, Republic of Palau. In order to obtain further information, contact information is provided below:

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