



THE REPUBLIC OF LIBERIA

Bureau of Maritime Affairs

8619 Westwood Ctr. Dr.
Suite 300
Vienna VA. USA 22182
Telephone: +1 703 790 3434
Fax: +1 703 790 5655
Email: safety@liscr.com

Office of
Deputy Commissioner
of Maritime Affairs

March 19, 2010

MARINE ADVISORY NOTE 02-2010

Subj: UK MCA Warns of Action Regarding Unsafe Manning Levels

Re: (a) UK MCA Press Notice 054-10
(b) STCW Section A-VIII/1
(c) Part 10 of the Articles of Agreement (See 10.320 of the Liberian Maritime Regulations)
(d) Marine Notice MAN-001 – Manning of Vessels and Principles of Watchkeeping
(e) Marine Notice MAN-003 – Certification, Training, and Rest Periods
(f) IMO MSC/Circ.1014 – Guidance on Fatigue Mitigation and Management

To: Shipowners/Operators and Master's

Dear Owner/Operator/Master:

In its press release issued on 26 February 2010, the UK MCA has warned that they will begin targeting vessels for compliance with rest hour requirements during Port State Control inspections.

UK MCA inspectors will check on board schedules and work records and compare them to the operating pattern of the ship to verify their accuracy. Inspectors will also be checking for compliance with the requirement for a dedicated lookout at night. In addition, inspectors will be looking for evidence of internal audits of rest hour records.

Shipowners, operators, and Masters should ensure that rest hour requirements are being adhered to and that all records of rest hours are accurate and up to date and as noted in ref (e), the Master shall ensure the hours of work and/or rest periods of each navigational and engine room watchstander are recorded and available for inspection. Any internal review of rest hour policies, procedures, and records should be documented as an internal audit under the vessels safety management system.

References (b) to (e) describe the rest hour requirements for watch keepers which shall be followed:

1. All persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch shall be provided a minimum of 10 hours of rest in any 24-

hour period.

2. The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length.
3. The requirements for rest periods laid down in paragraphs 1 and 2 need not be maintained in the case of an emergency or drill or in other overriding operational conditions.
4. Notwithstanding paragraphs 1 and 2, the minimum period of ten hours may be reduced to not less than 6 consecutive hours provided that any such reduction shall not extend beyond two days and not less than 70 hours of rest are provided each seven-day period.

The watch schedule shall be posted.

IMO MSC Circular1014 contains detailed guidance on fatigue mitigation and management, including a model format for Table of Shipboard Working Arrangements and a model format for Records of Hours of Work or Hours of Rest of Seafarers which can be found in appendixes 2 and 3 of the circular (copies attached). Additionally, ISF has available a computer software package called “ISF Watchkeeper” for use on board ships, to maintain records of seafarers’ hours of work and rest, and allow ships and their crews to demonstrate compliance with international work hour rules. Information on the “ISF Watchkeeper” software is available at <http://www.marisec.org/watchkeeper/index.htm>.

For questions regarding this note please contact Sean Brett at telephone +1 703-251-2434, email: Safety@liscr.com.

* * * * *

APPENDIX 2

MODEL FORMAT FOR TABLE OF SHIPBOARD WORKING ARRANGEMENTS¹⁹

¹⁹ **International Maritime Organization (IMO) & International Labour Office (ILO) (1999)- *IMO/ILO Guidelines for the Development of Tables of Seafarers' Shipboard Working Arrangements and Formats of Records of Seafarers' Hours of Work or Hours of Rest.* IMO – London, United Kingdom**



Model format for table of shipboard working arrangements²⁰

Name of ship: _____ IMO number (if any): _____ Latest update of table: _____ () of () pages

The maximum hours of work or minimum hours of rest are applicable in accordance with: _____ (national law or regulation) issued in conformity with ILO's Seafarers' Hours of Work and the Manning of Ships Convention 1996 (No. 180) and with any applicable collective agreement registered or authorized in accordance with that Convention and with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, (STCW Convention).²¹

Maximum hours of work or minimum hours of rest²²: _____

Other requirements: _____

Position/Rank ²³	Scheduled daily work hours at sea		Scheduled daily work hours in port		Comments	Total daily work/rest ²⁴ hours	
	Watchkeeping (from - to)	Non-watchkeeping duties (from - to) ²⁴	Watchkeeping (from - to)	Non-watchkeeping duties (from - to) ²⁵		At sea	In port

Signature of Master

20 The terms used in this model table are to appear in the working language or languages of the ship and in English.
21 See overleaf for selected extracts from ILO Convention 180 and the STCW Convention.
22 Delete as applicable.
23 For those positions/ranks that are also listed in the ship's safe manning document, the terminology used should be the same as in that document.
24 For watchkeeping personnel, the comments section may be used to indicate the anticipated number of hours to be devoted to unscheduled work and any such hours should be included in the appropriate total daily work hours column.

Selected texts from ILO Convention 180 and the STCW Convention

ILO Convention 180

Art.5 paragraph 1. The limits on hours of work or rest shall be as follows: (a) maximum hours of work shall not exceed: (i) 14 hours in any 24-hour period; and (ii) 72 hours in any seven-day period; or (b) minimum hours of rest shall not be less than: (i) ten hours in any 24-hour period; and (ii) 77 hours in any seven-day period.

Art. 5 paragraph 2. Hours of rest 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 14 hours.

Art. 5 paragraph 6. Nothing in paragraphs 1 and 2 shall prevent the Member from having national laws or regulations or a procedure for the competent authority to authorize or register collective agreements permitting exceptions to the limits set out. Such exceptions shall, as far as possible, follow the standards set out but may take account of more frequent or longer leave periods or the granting of compensatory leave for watchkeeping seafarers or seafarers working on board ships on short voyages.

Art. 7 paragraph 1 Nothing in this Convention shall be deemed to impair the right of the master of a ship to 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.

Art.7 paragraph 3 As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest.

STCW Convention

Section A-VIII/1 of the STCW Code (Mandatory)

1. All persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch shall be provided a minimum of 10 hours rest in any 24-hour period.
2. The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length.
3. The requirements for rest periods laid down in paragraph 1 and 2 need not be maintained in the case of an emergency or drill or in other overriding operational conditions.
4. Notwithstanding the provisions of paragraphs 1 and 2, the minimum period of ten hours may be reduced to not less than 6 consecutive hours provided that any such reduction shall not extend beyond two days and not less than 70 hours of rest are provided each seven day period.

5. Administrations shall require that watch schedules be posted where they are easily accessible.

Section B-VIII/1 of the STCW Code (Guidance)

3. In applying regulation VIII/1, the following should be taken into account:

1. provisions made to prevent fatigue should ensure that excessive or unreasonable overall working hours are not undertaken. In particular, the minimum rest periods specified in Section A-VIII/1 should not be interpreted as implying that all other hours may be devoted to watchkeeping or other duties;
2. that the frequency and length of leave periods, and the granting of compensatory leave, are material factors in preventing fatigue from building up over a period of time;
3. the provisions may be varied for ships on short-sea voyages, provided special safety arrangements are put in place.

APPENDIX 3

**MODEL FORMAT FOR RECORDS OF HOURS OF WORK
OR HOURS OF REST OF SEAFARERS**²⁵

²⁵ **International Maritime Organization (IMO) & International Labour Office (ILO) (1999)- IMO/ILO Guidelines for the Development of Tables of Seafarers' Shipboard Working Arrangements and Formats of Records of Seafarers' Hours of Work or Hours of Rest.** IMO – London, United Kingdom



Model format for record of hours of work or hours of rest of seafarers¹

Name of ship: _____ IMO number (if any): _____ Flag of ship: _____
 Seafarer (full name): _____ Position / rank: _____
 Month and year: _____ Watchkeeper:² yes no

Page 1 of 2

Record of hours of work/rest³

Please mark periods of work or rest, as applicable, with an X, or using a continuous line or arrow.

COMPLETE THE TABLE ON THE REVERSE SIDE

The following national laws, regulations and/or collective agreements governing limitations on working hours or minimum rest periods apply to this ship:

I agree that this record is an accurate reflection of the hours of work or rest of the seafarer concerned.

Name of master or person authorized by master to sign this record _____

Signature of master or authorized person _____ Signature of seafarer _____

A copy of this record is to be given to the seafarer. This form is subject to examination and endorsement under procedures established by _____ (name of competent authority)

- ¹ The terms used in this model table are to appear in the working language or languages of the ship and in English.
- ² Check as appropriate.
- ³ Delete as appropriate.

MSC/Circ.1014
ANNEX
Page 90

Please mark periods of work or rest, as applicable, with an "X" or using a continuous line or arrow

Hours	Hours of rest in 24-hour period																								Comments	NOT TO BE COMPLETED BY THE SEAFARER ¹			
	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23		Hours of work or rest as applicable, in any 24-hour period ²	Hours of work or rest as applicable, in any 7-day period ³		
Due																													

¹ For completion and use in accordance with the procedures established by the competent authority in compliance with the relevant requirements of the Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (Convention No. 180)
² Additional calculations or verifications may be necessary to ensure compliance with the relevant requirements of the Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (Convention No. 180) and the International Convention on Standards of Training, Certification and Watchkeeping, 1978, as amended (STCW Convention).