



South African Maritime Safety Authority

Ref: SM6/5/2/1

Date: 24 April 2018

Marine Notice No. 13 of 2018

Hours of Work and the Maritime Labour Convention

TO ALL SEAFARERS, SHIP OPERATORS & OWNERS, EXAMINERS, AND PRINCIPAL OFFICERS.

Summary

This Marine Notice highlights the requirements for hours of rest on vessels to which the *Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2013 (as amended)*, are applicable.

The Maritime Labour Convention was established in 2006. This unified and formalised all existing maritime labour related standards of international maritime labour conventions and recommendations. South Africa is signatory to this convention, and has brought effect to it, among others, in the form of Schedule 2 to the Merchant Shipping Act 1951 (as amended).

Regulation 2.3 of the convention addresses the requirements for Hours of Work and Hours of Rest. Paragraph 2 of that part requires each administration to establish either minimum hours of work or minimum hours of rest. *Standard A2.3 - Hours of Work and Hours of Rest* provides under paragraph 5 two options in the application of hours of work and hours of rest.

South Africa implements the requirement of Standard A2.3 Paragraph 5(b) under the *Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2013 (as amended) Section 93 – “Hours of work: general duty of owners, masters and others”*

The requirements of this section are the same for all seafarers operating on all commercial vessel types, and for all areas of operation.

While compliance with Section 93 in its entirety is required, the following in particular should be noted:

(1) *The master and owner shall take account of the danger posed by fatigue of seafarers, especially those whose duties involve the safe and secure operation of that ship. In preventing fatigue, owners shall take into account the guidelines provided by the Authority.*

(2) *All persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch and those whose duties involve designated safety, prevention of pollution and security duties shall be provided with a rest period of not less than:*

- (a) *a minimum of 10 hours of rest in any 24-hour period; and*
- (b) *77 hours in any 7-day period.*

SAMSA Strongly advises that seafarers, owners, and operators ensure familiarity and compliance with all the requirements of Section 93 as contemplated herein. Non-compliance places parties involved subject to the provisions of Section 118 – ‘‘Offences, penalties and defences’’ of the said regulations.

The record of Hours of Rest and demonstration of compliance with the requirements is shown in the model format provided in Annex 1.

24 April 2018

SM6/5/2/1

Issued by and obtainable from:

**The South African Maritime Safety Authority
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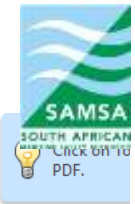
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MODEL FORMAT FOR RECORD OF HOURS OF REST OF SEAFARERS (1)

Name of Ship: _____ IMO number (if any): _____ Flag of Ship: _____

Seafarer (full name): _____ Position/rank _____

Month and year: _____ Watchkeeper (2) yes no

Record of hours of rest

Please mark periods of rest, as applicable, with 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 minimum rest periods apply to this ship:

The MS Safe Manning, Training and Certification Regulations (as amended). _____

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

Name of master or person authorised by master to sign this record: _____

Signature of master or authorised person: _____ Signature of seafarer: _____

A copy of this record is to be given to the seafarer.

This form is subject to examination and endorsement
by the South African Maritime Safety Authority.

(1) Terms used in this model table are to appear in the ship's working language and/or English.

(2) Mark as appropriate.

