

## **Port State Control – Information Notice No.5 of 2010**

The purpose of this notice is to advise shipowners, operators, managers and Masters of Isle of Man registered ships of the following;

### **Inspection of Hours of Work / Rest**

It has been brought to the attention of the Ship Registry that various port states within the Tokyo MOU Region are inspecting items in addition to the advised Concentrated Inspection Campaign on Harmful Substances – MARPOL Annex III, SOLAS Chapter VII and the IMDG Code. They are additionally focusing inspections on hour of rest records.

The focus of these inspections has resulted in a number of detentions to vessels not connected to the Isle of Man Ship Registry, however, this advice note is a timely reminder to all Masters to ensure that all hours of rest records are being kept as per statutory requirements and ILO 180 Convention.

#### **References:**

Merchant Shipping (Manning & Training) (Amendment) Regulations 2002 - (SD 757/02)

- Part 10 - Hours of Rest

ILO Convention No.180 on Seafarers' Hours of Work

International Convention on Standards of Training & Watchkeeping 1978 as amended (STCW 1995)

Masters are reminded of the following in respect of inspection by PSCOs of the shipboard hours of rest records;

#### **1. Table of Shipboard Working Arrangements**

- Schedule of service at sea and in port, and
- Maximum hours of work, or minimum hours of rest required by statutory regulations, standardised table format to be in working language of vessel (English) posted up in common spaces / passageways

#### **2. Records of Seafarers' hours of work or rest**

- Are there records of seafarers' hours of work or their hours of rest
- Do records appear to be in conformity with regulations / convention
- Are records signed / endorsed by the Master or his authorised representative and by the seafarer
- Do they account for all hours in each 24 hour period
- Records of any deviations whenever seafarer cannot have minimum rest required by regulations
- Additional verification of hours of rest in any 24 hour period, and hours of rest in any 7 day period, and
- Is the present composition of the crew in compliance with the minimum safe manning document

## **Clear grounds for a More Detailed Inspection**

- Records of hours of work or rest have been maintained but are missing some of the required information.
- Copies of relevant laws, regulations or collective agreements concerning maximum hours of work / minimum rest not kept on board and/or not easily accessible to the crew.
- Seafarer on board under the age of 18 regularly working at night (but not as part of an established training programme).
- Shipboard working arrangements for all seafarers has not been posted.
- The table of shipboard working arrangements has been posted but is missing some of the required information.
- Shipboard working arrangements are not easily accessible to the crew.
- Records of hours of work or rest have not been maintained for all seafarers.
- Seafarers are found to have been working excessive hours or have not received sufficient rest.
- Table of shipboard working arrangements and/or forms for recording of working hours or rest periods are not available in both the working language or languages of the ship and in English; and
- Seafarers have not been provided with record of hours of work or rest.

The Isle of Man regulations require that in accordance with the ILO 180 that the minimum hours of rest for all seafarers are:-

- 10 hours in any 24 period, and
- 77 hours in any 7 day period

Hours of rest may be divided into no more than 2 periods one of which shall be at least 6 hours in length. The interval between consecutive hours of rest shall not exceed 14 hours.

Port State Control Officers are also being encouraged to examine the official log book, deck log book, pay records, seafarers' individual record of daily hours of work and rest and other secondary documentation. Additionally verbal confirmation with watchkeepers is also being considered as part of the evidence gathering. Furthermore it should be noted that where there is evidence that hours of rest are not in accordance with the STCW Convention the PSCO will require corrective action and may consider detaining the vessel under the ISM Code, especially where there is evidence that the non-compliance is of a repeated and systematic nature.

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