



Circular N° CH 43-11

To: All Shipowners of Swiss flagged Vessels, Masters, Recognized Organizations, Shipboard Safety Committee and approved Inspectors

Sub.: Instructions to Recognized Organizations

- Ref. a) Regulation 5.1.2 of Maritime Labour Convention, 2006 (hereafter MLC)**
b) Swiss Maritime Statute (Navigation Act, SMS) Art. 30
c) Ordinance implementing the Federal Law on Navigation under the Swiss Flag (Navigation Ordinance, SMO) Art. 8

PURPOSE:

The Maritime Labour Convention, 2006, requires the Flag State to pay specific attention to the observation of the labour conditions on board ships that fly its flag. Standard A5.1.1.3 permits the Administration to authorize public institutions or other organizations (i.e. Recognised Organisations RO) which it recognizes as competent and independent to carry out inspections.

APPLICABILITY:

These specific considerations shall apply to all commercial ships flying the Swiss Flag as defined in Article II of the Convention.

REQUIREMENTS:

1. The Administration will establish a formal authorization of Recognized Organizations, and publish a list of selected organizations.
2. A shipowner/operator shall address their request for inspection of a ship to one of the selected organizations with a copy to the Administration.
3. The shipowner/operator will prepare a file containing its interpretation of the Document of Maritime Compliance Part II (DMLC Part II), permitting the inspector to find his way in the instructions given by the shipowner/operator to the Master of his ship.
4. Part of the DMLC Part II may be checked at the seat of the ship owner/operator by an appointed inspector. This concerns particularly points 1, 2, 3, 4, 5, 8, 11, 14 of the MLC requirements. However, all these points must also be checked on board by the RO.
5. Each ship will be in possession of :
 - .1 The Swiss Maritime Statute (Navigation Act) in its latest edition, (in English)
 - .2 The Ordinance implementing the Federal Statute on Navigation under the Swiss Flag (Navigation Ordinance)
 - .3 The Maritime Labour Convention, 2006
 - .4 Guidelines for Flag State Inspections under the MLC, 2006 (ILO, 2009)
 - .5 Guidelines for Port State Control Officers carrying out inspections under the MLC, 2006 (ILO, 2009)

- .6 The collection of the Swiss Flag State Circulars N° CH 43 (Guidelines for the Implementation of the Maritime Labour Convention, 2006), and
 - .7 The Collective Agreements of Employment (CAE) between members of the Swiss Shipowners Association (or ABC Maritime AG), and the Swiss section of Nautilus International.
6. Upon satisfactory inspection of a ship, the RO inspector will issue the corresponding Maritime Labour Certificate or the Interim Maritime Labour Certificate, as applicable. The original of this Document will remain on board the ship; one copy shall be sent to the Administration and one copy to the shipowner/operator.
 7. Maritime Labour Certificates issued to ships flying the Swiss Flag during the period between August 2012 and August 2013 shall be valid for a period of five years from the date of its issue.

Swiss Maritime Navigation Office SMNO

p.p.


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