

Category: Working- and Living Circular no.: **02/2008 rev. 2**

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Technical Other Date: 15.06.2009 Knut Kristiansen

This Circulare revokes Circulare no. 02/2008 rev. 1.

Implementation ILO Convention No. 178 Labour Inspection (Seafarers), 1996 - New inspection regime

Purpose

The purpose of this circular is to alert and instruct the RO about a new inspection regime on Norwegian ship with regards to survey of seafarers' working- and living conditions.

Application

This circular applies to ships with (1969) gross tonnage of 500 and upwards as follows:

- cargo ships registered in NIS or NOR when RO is generally authorized to issue the Safety Management Certificate (SMC).
- passenger ships (except high speed passenger vessel) registered in NIS when RO is generally authorized to issue the Safety Management Certificate (SMC).

This circulare does not apply to ships with a national gross tonnage remarked in the International Tonnage Certificate (1969) which is below 500.

References

Agreement of 1 June 2002 between the Ministry of Trade and Industry and "Recognized Organization" concerning surveys of ship's registered in a Norwegian Ship Register, Annex I, II and III.

Norwegian laws and regulations as mentioned in the enclosed ILO 178 Check List

Background

Norway ratified ILO 178 Convention 11 June 1999 and the Convention entered into force 11 June 2000 for Norwegian ships. The ILO 178 Convention contains regulations about survey of seafarers' working and living conditions and obligated the member states to implement a formal inspection regime. The Convention does not introduce any new regulations or penalties.

Survey of seafarers' working and living conditions has always been a part of the cargo ship safety equipment survey, manning survey and ISM audits on Norwegian ships. The new inspection regime introduce regulations of standard intervals between surveys, standard check lists and report forms and standard system for reporting to NMDs' head office.

Intervals for ILO 178 surveys

ILO 178 surveys shall be carried out at intervals of 2.5 years and not more than 3 years between two inspections. The surveys shall be carried out during ISM audits, to minimise the inconvenience to ship owners and masters.

Check List and Report forms

- An “ILO 178 Check List” as modelled by the NMD shall be used. All inspection areas shall be inspected. Within each inspection area a random check of the verification areas may be carried out.
- An “ILO 178 Report” as modelled by NMD shall be placed on board after each survey.

RO may develop its own check list and report form which shall contain the same text as the model forms.

Reporting to NMD head office

RO shall send the ILO 178 Report, ILO 178 Check List and the observation ¹⁾ list after each survey to NMD on e-mail ILO@sjofartsdir.no.

¹⁾ Observations means: non-conformities and comments.

RO shall send an annual summary report to NMD with the results per 1 January each year. The summary report shall contain:

- Number of surveys accomplished
- Number of non-conformities (refer to no. in ILO 178 Report – areas 1-14)
- Number of comments (refer to no. in ILO 178 Report – areas 1-14)

All correspondence towards the International Labour Organization (ILO) shall solely be executed by NMD.

Crew Complaints

If RO or NMD receive a complaint from the crew or by other means become aware the conditions onboard a NIS or NOR ship are not in accordance with the requirements of seafarers’ working and living conditions, the following procedure shall apply:

- The complaint or evidence shall be forwarded to NMD on e-mail ILO@sjofartsdir.no. All such matters shall be treated in strict confidence.
- If necessary, NMD may request the RO to take an unscheduled inspection (in accordance with NIS Circular No. 8/2004)

Enter into force

The new inspection regime for ILO 178 surveys was implemented as from **1 January 2009**.