

**GOVERNMENT GAZETTE
OF THE HELLENIC REPUBLIC
SECOND VOLUME
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DECISIONS

No. 3522.2/08/2013

Regulation for the implementation of the requirements set out in the Maritime Labor Convention 2006 of the International Labor Organization.

The Ministers of Health – Shipping and the Aegean

Having regard to:

1. The provisions of:
 - a) Article 3, paragraphs 1 and 3 of L. 4078/2012 on the "Ratification of the Maritime Labor Convention 2006 of the International Labor Organization" (A' 179).
 - b) Legislative Decree No.399/1947 on the "Ratification of amendments to the Constitution of the International Labor Organization" (A' 183).
 - c) Article 90 of the Code of Legislation on the Government and Governmental Bodies which was ratified by Article I of Presidential Decree No.63/2005 (A' 98).
 - d) Article 5 of Presidential Decree No.85/2012 on the "Establishment and renaming of Ministries, transfer and abolition of services" (A' 141), as amended by Article 1 of Presidential Decree No.94/2012 "Amendments to Presidential Decree No.85/2012 Establishment and renaming of Ministries, transfer and abolition of services (A' 141)" (A' 149), and L.4150/2013 "Reorganization of the Ministry of Shipping and the Aegean and other provisions (A' 102).
 - e) Presidential Decree No.95/200 on the "organization of the Ministry of Health and Welfare" (A' 76) as in force at present.
 - f) Presidential Decree No. 119/2013 on the "Appointment of the Vice-President of the Government, Ministers, Deputy Ministers and Undersecretaries" (A' 153).

2. The provisions of the Code of Public Maritime Law which was ratified by Legislative Decree No.187/1973 (A' 261).
3. The need to set out requirements in the national legislation for the sake of implementing the requirements of the aforesaid Convention.
4. The need for timely adjustment on the part of all parties required to implement the requirements set out in the aforesaid Convention.
5. The fact that this Decision does not generate any cost at the expense of the State budget, the following are hereby decided:

Article I

We hereby approve the Regulation for the implementation of the requirements set out in the Maritime Labor Convention 2006 of the International Labor Organization which was ratified by L.4078/2012, as follows:

Article 1

Definitions – Scope of Application

1. For the purpose of this Regulation and its implementation, the term:
 - a) **Convention** means the Maritime Labor Convention, 2006 adopted by the International Labor Organization, which was ratified by L.4078/2012 (A' 179).
 - b) **Requirements of the Convention** refers to the requirements in these Articles and in the Regulations, and Part A of the Code of this Convention.
 - c) **Ship** means any vessel flying the Greek flag, excluding:
 - (i)
 - d) **Seafarer** means any person who is engaged or employed or works in any capacity on board a ship to which this Regulation applies.
 - e) **Shipowner** means the owner the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organizations or persons fulfill certain of the duties or responsibilities on behalf of the shipowner.

- f) **Gross tonnage** means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any successor Convention; for ships covered by the tonnage measurement interim scheme adopted by the International Maritime Organization, the gross tonnage is that which is included in the REMARKS column of the International Tonnage Certificate (1969).
 - g) **N.T.** stands for net tonnage.
 - h) **STCW Convention** means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, which was ratified by L. 1314/1983 (A'2), and as is accepted each time by the Greek State.
 - i) **SOLAS Convention** means the International Convention on Safety of Life at Sea, which was ratified by L. 1045/1995 (A' 95) and as is accepted each time by the Greek State.
 - j) **CPML** stands for the Code of Public Maritime Law, which was ratified by Legislative Decree 187/1973 (A' 261).
 - k) **Passenger ship** means any vessel carrying on board more than twelve (12) passengers.
 - l) **Cargo ship** means any non-passenger ship.
 - m) **Special purpose ship** means any vessel which has or will be issued with a Certificate according to the Code of Safety for Special Purpose Ships 1983, of the International Labor Organization and its subsequent versions.
 - n) **Crew accommodation** means the sleeping rooms, hospital accommodation area, recreation rooms, offices, mess rooms and sanitary facilities provided on board.
 - o) **YNA** (Greek initials) stands for the Ministry of Shipping.
2. In the event of doubt as to whether any categories of persons are to be regarded as seafarers for the purpose of this Regulation, the question shall be determined by the Maritime Labor Directorate (DNER *as per its Greek initials*) in cooperation with other Departments of the Ministry of Shipping and after consultation with the shipowners' and seafarers' organizations concerned. To this end, due account shall be taken of the Resolution of the 94th (Maritime) Session of the General Conference of the International Labor Organization regarding information on the categories of seafarers.

3. This Regulation applies to all seafarers employed on board any sea-going vessel, whether publicly or privately owned, which is ordinarily engaged in commercial operations with the exception of vessels engaged in fishing or in similar pursuits, such as fish culture auxiliary vessels, and vessels which have been designated as ships of traditional build by virtue of Joint Ministerial Decision No. 4113.203/01/13.09.2005 (B'1281). This Regulation does not apply to warships or naval auxiliaries. In the event of doubt as to whether this Convention applies to a ship or particular category of ships, the question shall be determined by the Maritime Labor Directorate (DNER *as per its Greek initials*) in cooperation with other Departments of the Ministry of Shipping after consultation with the shipowners' and seafarers' organizations concerned.

CHAPTER A'
MINIMUM REQUIREMENTS FOR SEAFARERS TO WORK ON A SHIP

Article 2
Minimum age

1. The employment, engagement or work on board a ship of any person under the age of 16 shall be prohibited.
2. According to the ship's schedule, night work of seafarers under the age of 18 is prohibited, and in particular, between 22:00 and 07:00hrs or between 23:00 and 08:00hrs depending on the Master's choice.
3. An exception to strict compliance with the night work restriction may be made when:
 - (a) the effective training of the seafarers concerned, in accordance with established programs and schedules, would be impaired; or
 - (b) the specific nature of the duty or a recognized training program requires that the seafarers covered by the exception perform duties at night; and
 - (c) there are objective facts that require such exception for the smooth operation of the vessel, and thereafter the necessary period of rest is granted.
4. The employment, engagement or work of seafarers under the age of 18 shall be prohibited according to what is stipulated in Article 5

of Presidential Decree No. 407/2001, namely, "Measures for the protection of young people employed under seafarers' employment contracts in the maritime and fishing sector in compliance with Directive 94/33/EC (A' 289). The foregoing are taken into account by the contracting parties when entering into a seafarers' employment agreement as well as by the ship's Master during the engagement period on board ship.

Article 3 Medical Certificate

1. Seafarers shall not work on a ship unless they are issued with a valid medical certificate attesting that they are medically fit to perform their duties at sea. The medical certificate shall be issued by a duly qualified and certified physician (medical practitioner) specializing in general medicine or occupational medicine or pathology, and legally exercising the medical profession. Physicians must enjoy full professional independence in exercising their medical judgment in undertaking medical examination procedures.
2. Each medical certificate, the type whereof in terms of its content is prescribed in Annex A of this Regulation, shall state in particular that:
 - a) the seafarer concerned is not suffering from any medical condition likely to be aggravated by service at sea or to render the seafarer unfit for such service or to endanger the health of other persons on board;
 - b) the hearing and sight of the seafarer concerned, and the color vision in the case of a seafarer to be employed in capacities where fitness for the work to be performed is liable to be affected by defective color vision, are all satisfactory.
3. A physician shall conduct the prescribed medical examination for issuance of a medical certificate prior to employment aboard a vessel by giving due consideration to Guideline B1.2.1 of the MLC, while no cost shall be borne by seafarers for such examination. Specifically in the case of seafarers who are to be employed as ship's cooks, a fecal culture for parasitological examination shall be also performed. Medical examinations may be conducted in the framework of the National Health System. For issuance of the medical certificate a recent chest X-ray of the seafarer being examined is required, along with a valid attestation certifying that their eyesight and color vision, when the latter are of essence for the capacities in which they are to

be employed, are satisfactory. In the event that the physician issuing the medical certificate is also qualified for performing examinations concerning eyesight and color vision, the above-mentioned attestation is not required; otherwise, the attestation shall be issued by a duly qualified ophthalmologist, legally exercising their profession and enjoying full professional independence in undertaking ophthalmology medical examinations. During the medical examination, a medical practitioner shall verify the personal particulars of the seafarer being examined. Following completion of the medical examination, medical practitioners shall keep a record regarding the contents of certificates that they have issued for a time-period which shall be *ad minimum* twice as long as the certificate's term of validity, while they shall duly observe patient confidentiality.

4. Seafarers that have been refused a certificate or have had a limitation imposed on their ability to work, in particular with respect to time, field of work or trading area, shall be given the opportunity to have a further examination by another physician according to what is provided in paragraph 1 hereof.
5. Unless, according to medical judgment, a shorter period is required by reason of the specific duties to be performed by the seafarer concerned, a medical certificate shall be valid for a maximum period of two (2) years unless the seafarer is under the age of 18, in which case the maximum period of validity shall be one (1) year. A certification/attestation of color vision shall be valid for a maximum period of six years.
6. In urgent cases, the Maritime Labor Directorate of the Ministry of Shipping or the Port or Consular Authorities may permit a seafarer to work without a valid medical certificate until the next port of call where the seafarer can obtain a medical certificate from a qualified physician as provided for in paragraph 1 hereof, provided that the seafarer concerned is in possession of an expired medical certificate of recent date, not in excess of three (3) months. The period of such permission shall not exceed three months. If the period of validity of a certificate expires in the course of a voyage, the certificate shall continue in force until the next port of call where the seafarer can obtain a medical certificate from a qualified physician as provided for in paragraph 1 hereof, provided that the period shall not exceed three months.
7. Medical certificates may be kept on board, care of the Master, and shall be shown to any competent authority if so required.

8. A medical certificate which is issued in accordance with the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) is accepted for the purposes of this Article. A certificate which materially meets the requirements of the aforementioned Convention is equally accepted in the event of seafarers who do not fall within its scope.
9. A certificate which has been issued under the legislation of a country that has ratified the Convention is accepted for the purposes of this Regulation. Seafarers' medical certificates issued according to the International Convention 73 of the International Labour Organization or according to the STCW International Convention (amendments 1995) are valid and accepted up to their expiration and not beyond the 1st January 2017
10. A medical certificate shall be issued in Greek and English.
11. Shipowners, seafarers working on board and their representatives shall furnish competent authorities with any necessary information, upon request, concerning the health of seafarers for purposes of workplace health protection, preventive approach and promotion.
12. Shipowners shall furnish the Seafarers' Employment Bureau (*GENE as per its Greek initials*) with any necessary information upon request in respect of seafarers' medical certificates for record keeping purposes.
13. If following an administrative investigation –particularly in the case of a report submitted by a shipowner, seafarer or their representative or any competent organization-stakeholder– conducted in respect of medical examination and certificate issuance procedures, the Maritime Labor Directorate of the Ministry of Shipping discovers in cooperation with the competent Service of the Ministry of Health that a physician fails to exercise the degree of care and skill or meet a standard of professional conduct during the performance of their medical duties for the issuance of a medical certificate, then by a virtue of a decision which the above-mentioned Directorate shall communicate both to seafarers' union and shipowners' associations, as well as to the authority that has granted a medical license to the physician in question, shall not accept any medical certificate issued by the said physician. The physician is entitled to appeal against such decision in writing within thirty days as of the date on which the decision is communicated to the Ministry of Shipping and the Aegean. Once the appeal has been decided, the decision rendered shall be final and definitive and a copy of it shall be forwarded to the

physician, the related seafarers' unions and shipowners' associations for information purposes, as well as to the competent medical license issuing authority.

Article 4

Training and qualifications

1. Shipowners shall ensure that seafarers shall not work on a ship unless they are trained or certified as competent or otherwise qualified to perform their duties.
2. Seafarers shall not be permitted to work on a ship unless they have successfully completed training for personal safety on board ship.
3. Training and certification in accordance with the mandatory instruments adopted by the International Maritime Organization, and in particular with the International Convention on STCW, shall be considered as meeting the requirements of paragraphs 1 and 2 of this Regulation.

Article 5

Recruitment and placement

1. Finding employment on board ship is undertaken, without charge to the seafarer, by the Seafarers' Employment Bureau (*GENE as per its Greek initials*) which operates under Emergency Law No.192/1936 (A' 438) and the Annexes thereto, as stipulated in Article 93 of the Code of Public Maritime Law.
2. The Seafarers' Employment Bureau and its Branch Offices shall provide their services in a manner that protects and promotes seafarers' employment rights as provided in the Convention. Moreover, they shall duly advise seafarers of any possible employment issues which may arise in the event of signing on a ship that flies the flag of a State which has not ratified the Convention, provided that no standards equivalent to those set out in the Convention are being applied by the State in question.
3. Shipowners who use seafarer recruitment and placement services based in countries or territories in which the Convention does not

apply, shall take, as far as practicable, appropriate action in order to ensure that:

- a) These services meet the requirements set out in the Convention.
- b) No fees or other charges are borne by seafarers for such services.

and upon request by a competent public Authority, they provide any available data, such as information relating to the competent Administration of the State in which these services operate and/or information relating to other authorities and organizations; likewise for the results of inspections and/or certifications about the quality of services provided and/or checklists for conformity with the requirements of the Convention or results of inspections performed by recognized organizations.

4. The Seafarers' Employment Bureau, as far as practicable, shall monitor and collect information about seafarer recruitment and placement services based in countries or territories in which the Convention does not apply, and shall prepare an annual report for submission to the Ministry of Shipping for purposes of evaluation, and in particular for the sake of duly advising any shipowners' and seafarers' organizations concerned.
5. The Board of Directors of the Seafarers' Employment Bureau shall lay down procedures in order to investigate any complaints in respect of actions undertaken by its services and branch offices and if required it shall recommend to the Ministry of Shipping the adoption of appropriate measures.
6. The Seafarers' Employment Bureau shall ensure that a system is at all times in place for collecting and analyzing information concerning the maritime labor market, including the current supply of seafarers; such information shall be classified by age, gender, rank, and qualifications, and the requirements set out by the shipping industry. Where a system for keeping statistical information on seafarers is maintained, including the collection, storage, combination and communication of personal data to third parties, the Seafarers' Employment Bureau shall have due regard to the right to privacy and the need to protect confidentiality, as well as to the conditions under which its services are being provided.

CHAPTER B'

CONDITIONS OF EMPLOYMENT

Article 6

Seafarer's employment agreement

1. The terms and conditions for employment of a seafarer shall be set out or referred to in a clear written legally enforceable agreement. A seafarer's employment agreement shall be signed by both the seafarer and the shipowner or a representative of the shipowner or the ship's Master in the event that the seafarer himself is not present. The contracting parties shall each have a signed original of the seafarer's employment agreement. Seafarers' employment agreements shall be understood to incorporate any applicable collective bargaining agreements
2. Before signing an employment agreement, seafarers have an opportunity to review and seek advice on the terms and conditions set forth therein so as to ensure that they freely accept them with sufficient understanding of their rights and obligations.
3. The shipowner shall ensure that clear information as to the conditions of seafarer's employment can be easily obtained on board by seafarers, the ship's Master included, and that such information, as well as a copy of each seafarer's employment agreement is also available for review, upon request, by Port or Consular Authorities, or other competent authorities in the ports to be visited.
4. Where a collective bargaining agreement forms all or part of a seafarers' employment agreement, a copy of that agreement shall be available on board. In the event that the language of the seafarers' employment agreement and any applicable collective bargaining agreement is not in English, the following shall also be available in English, except for ships engaged only in domestic voyages (between Greek ports:
5. Seafarers' employment agreements shall contain the following information:
 - a) Seafarer's full name (name, family name, father's name), date and year of birth, place of birth, and in the case of a Greek national, the region and inventory number);
 - b) The full name and address of the shipowner or their representative, or the Master's name;
 - c) The place where and date when the seafarers' employment agreement is entered;

- d) The capacity in which the seafarer is to be employed;
 - e) The amount of the seafarer's wages or, where applicable, the formula used for calculating them;
 - f) The amount of paid annual leave or, where applicable, the formula used for calculating them;
 - g) The term of the agreement and the conditions for termination of thereof, including:
 - (i) If the agreement has been made for an indefinite period, the conditions entitling either party to terminate it, as well as the required notice period which shall not be less than that for the shipowner than for the seafarer.
 - (ii) If the agreement has been made for a definite period, the date fixed for its expiry, and
 - (iii) If the agreement has been made for a voyage, the port of destination and the time which has to expire after arrival before the seafarer should be discharged which cannot be prior to cargo discharge operations
 - h) The health and social security protection benefits to be provided to the seafarer by the shipowner;
 - i) The seafarer's entitlement to repatriation, including repatriation the destination/s as appropriate;
 - j) Reference to the collective bargaining agreement if any and applicable;
 - k) The name and type of ship, ship registry, tonnage and international call sign;
 - l) Any additional terms agreed upon by the parties contracting to the employment agreement;
6. Upon completion of service, seafarers shall be given a document containing a record of their employment on board which shall be drawn up in Greek and English employment agreement, including the following information:
- a) Seafarer's name, date of birth or age.
 - b) Ship's name, registry and class.
 - c) The date on which a seafarer's employment commenced and expired, the capacity in which the seafarer was employed, and any document attesting to seafarer's competency which was in possession of the seafarer throughout the period of service.
 - d) Any other information mutually agreed upon by the seafarers and the ship's master.

The above-mentioned document shall not contain any statement as to the quality of the seafarer's work or as to their wages, and shall be signed by the Master without any other approval being required by a public authority.

7. The minimum notice periods to be given by seafarers and shipowners for the early termination of a seafarers' indefinite term employment agreement shall not be less than seven (7) days. Termination of the agreement shall take effect after the prescribed time-limit elapses from the date of termination and shall be extended until arrival of the ship in a port. Without prejudice to paragraph 8 hereof, circumstances for which no notice period or a notice period shorter than the minimum one is required, may be determined in an applicable collective bargaining agreement.
8. In addition to force majeure events or any other events constituting grounds for *ipso jure* termination of the seafarers' employment agreement, including loss of ship, loss of the Greek flag, sale at public auction:
 - a) The shipowner or their representative or the Master may terminate the agreement without notice in the event of a serious breach of duty on the part of the seafarer.
 - b) The seafarer may terminate the agreement without notice in the event of a serious breach of duty on the part of the shipowner and/or Master vis-à-vis the seafarer.
9. A seafarer may terminate their employment agreement on shorter notice (i.e. less than seven (7) days) or without notice due to health reasons concerning a member of the seafarer's family. The shipowner shall ensure that other cases wherein the seafarer needs to terminate, without incurring penalty, the employment agreement on shorter notice (less than seven days) or without notice for compassionate reasons, are taken into account.

Article 7

Wages

1. Seafarers shall be paid for their services regularly and in full in accordance with their employment agreements. Payments due to seafarers shall be made at no greater than monthly intervals and in accordance with any applicable collective agreement.
2. Seafarers shall be given a monthly account of the payments due and the amounts paid, including wages, additional payments and

- the rate of exchange used where payment has been made in a currency or at a rate different from the one agreed.
3. Shipowners shall take measures to provide seafarers with a means to transmit all or part of their earnings to their families or dependants or legal beneficiaries. Such measures include *ad minimum* the following:
 - a) A system for enabling seafarers, at the time of their entering into an employment agreement or during their employment, to allot, if they so desire, a proportion of their wages for remittance at regular intervals to their families by bank transfers or similar means, and
 - b) A requirement that allotments should be remitted in due time and directly to the person or persons designated by the seafarers.
 4. Any charge for the service under paragraphs 3 hereof shall be reasonable in amount, and the rate of currency exchange, unless otherwise provided, shall, in accordance with national laws or regulations, be at the prevailing market rate or the official published rate and not unfavorable to the seafarer.
 5. Port or Consular Authorities shall intervene in a conciliatory capacity for the resolution or settlement of any financial dispute which may arise in connection with the seafarers' employment agreement between the contracting parties, if so requested. Such intervention may be proceeded with independently of any other proceedings that shipowners and seafarers may institute, in the framework of a penal, administrative and/or disciplinary investigation provided under the law, before the Courts of Justice of Greece having jurisdiction over such matters.
 6. When entering into a collective maritime labor agreement, the shipowners' and seafarers' organizations, or in the case of a seafarers' employment agreement the parties contracting thereto, shall give due consideration to the Guidelines set out in Part B' of the Code and in particular to Guideline B2.2. None of the provisions contained in the aforementioned Guidelines violates the terms of applicable collective maritime labor agreements.
 7. Records shall be kept on board, care of the Master, where information on the implementation of paragraphs 2 and 3 hereof is concerned, so that they may be available to competent authorities upon request.

Article 8
Hours of work and hours of rest

1. This Article lays down the provisions pertaining to the organization of seafarers' work hours and hours of rest, notwithstanding the requirements of the national laws for implementation of the STCW Convention and the convention on maximum time of employment of crews on board passenger ships, and passenger ships/ferries engaged on domestic voyages that fall within the scope of the IMO Code of Safety for Dynamically Supported Craft.
2. For the purpose of this Article and its implementation, the term:
 - (a) *hours of work* means time during which seafarers are required to do work on account of the ship;
 - (b) *hours of rest* means time outside hours of work; this term does not include short breaks.
3. Without prejudice to paragraphs 5 and 6 hereof the normal working hours' standard for seafarers shall be based on an eight-hour day with one day of rest per week and rest on public holidays. The maximum number of seafarers' hours of work may be laid down in a collective agreement on a basis no less favorable than the standard set out in this Article.
4. Within the limits set out in paragraphs 5 to 8 hereof, for the purposes of establishing a schedule of service at sea, shipowners, shall fix a minimum number of hours of rest which shall be provided in a given period of time.
5. The limits on hours of rest shall be as follows:
 - (a) ten (10) hours in any 24-hour period; and
 - (b) seventy seven (77) hours in any seven-day period.
6. 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.
7. Drills prescribed by laws and regulations shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.
8. When a seafarer is on call, such as when a machinery space is unattended, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.
9. In the event that the period of rest is disturbed for the reasons stated in paragraphs 7 and 8 hereof and provided there is no collective agreement under which the matter can be regulated, the

seafarer shall have an adequate compensatory rest period within one (1) month.

10. In an easily accessible place on board, a table shall be posted with the shipboard working arrangements, which shall contain for every position at least:

- (a) the schedule of service at sea and service in port; and
- (b) the minimum hours of rest required by this Regulation or any applicable collective agreements.

The table referred to in this paragraph shall be prepared, in terms of its content, according to the sample provided in Annex C to this Regulation in Greek and English.

11. Care of the ship's Master, records of seafarers' daily hours of rest shall be maintained for a minimum period of one month and shall be made available to any competent authority for purposes of inspection so as to ensure compliance with the provisions of paragraphs 5 to 10 hereof. The seafarers shall receive a copy of the records pertaining to them which shall be endorsed by the Master or a person authorized by the Master and by the seafarers. The records shall be in a standardized format; in particular, they shall follow the one provided in Annex D to this Regulation in Greek and English. The records of seafarers' daily hours of rest shall be reviewed and approved during inspections conducted by Port or Consular Authorities and by the competent Services of the Ministry of Shipping for purposes of establishing compliance with national laws and regulations on the organization of seafarers' hours of work and hours of rest.

12. In the case of ships engaged on voyages in areas within the same time zone, hours and time intervals shall be recorded in local time, while ships engaged on ships in areas where the local time changes, such recordings shall be made in UTC.

13. Exceptions to the limits set out in paragraphs 5 and 6 hereof may be permitted under collective agreements. Such exceptions shall, as far as possible, follow the provisions of the standards referred to above 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.

14. The Master of a ship has the right 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. Accordingly, the Master may suspend the schedule of hours of rest and require a seafarer

to perform any hours of work necessary until the normal situation has been restored. 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. In the event that the schedule of hours of rest is suspended according to the foregoing, a related entry shall be duly made in the "Remarks" section of the record pertaining to the seafarer, at a reasonable time after the emergency that has caused such suspension has been dealt with.

15. Seafarers performing watchkeeping duties who have been issued with a certificate by a medical practitioner according to Article 3 hereof attesting that they experience health issues as a result of night work, shall be assigned to daytime duties provided that they have the skills required.
16. Shipowners shall provide information in respect of seafarers who perform duties during the night if so required by a state Authority.
17. With regard to hours of work, hours of rest, breaks and type of work (ship operations) for young seafarers under the age of eighteen (18) in the event of force majeure, the provisions of Presidential Decree No.407/2001 on "Measures for the protection of young people being employed under maritime labor contracts in the maritime and fishing sector for compliance with Directive 94/33/EC (A' 289)" shall apply.
18. The shipowner shall take all requisite measures and shall provide the Master with the necessary resources to ensure that requirements arising from this Article are complied with. The Master shall take all necessary steps to ensure that the requirements set out herein are duly met, and to this end, the Master shall cooperate with the shipowners. In particular, the Master shall ensure that watch systems are arranged such that the efficiency of watchkeeping personnel is not impaired by fatigue and that duties are organized so that the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and fit for duty.
19. A copy of this Article and of any applicable collective agreement shall be kept on board so as to be easily accessible for the crew.

Article 9

Entitlement to leave

1. Seafarers employed on ships are entitled to be granted paid annual leave under in accordance with the provisions in this Article. The annual leave with pay entitlement shall be calculated on the basis of a minimum of 2.5 calendar days per month of employment, while for time-periods shorter than a month, leave time shall be calculated on a pro rata basis. The manner in which the length of service is calculated and the terms under which leave is granted shall be determined under an applicable collective agreement and/or seafarer's employment agreement. The minimum annual leave with pay cannot be forgone for a compensatory amount unless the employment relationship is terminated before the annual leave is granted.
2. Absence from work to attend an approved maritime vocational training course or for such reasons as illness or injury sustained by a seafarer who is convalescing on board shall be counted as part of the period of service. Justified absences from work shall not be considered as annual leave.
3. Without prejudice to any *ad hoc* terms set forth in an applicable collective agreement, any agreement to waive the right to annual leave with pay is prohibited and shall be null and void.
4. Unless otherwise fixed under an applicable collective agreement, the time at which annual leave is to be taken shall be determined by the Master who shall take account of the ship's needs. A seafarer taking annual leave should be recalled only in cases of extreme emergency and with the seafarer's consent.
5. When entering in a collective agreement, shipowners' and seafarers' organizations shall give due consideration to the guidance provided in Part B of the Code and in particular to Guideline B 2.4.; likewise for any contracting parties to a seafarer's employment agreement.
6. In order to benefit their health and well-being, seafarers shall be granted shore leave by the Master or the person legally authorized to act for the latter, who shall determine the length of the shore leave when the ship is in port. When granting shore leave to a seafarer, account is taken of the operational requirements of the seafarer's position and the latter's professional capacity in relation to the ship's needs, as well as of any terms laid down in an applicable collective agreement.

Article 10 Repatriation

1. Seafarers have a right to be repatriated at no cost to themselves in accordance with the provisions of this Article, and without prejudice to any further, more favorable terms for seafarers set forth in an applicable collective agreement or a seafarer's employment agreement.
2. Shipowners shall provide in writing financial security, such as a letter of guarantee issued by a bank or another financial institution, an insurance policy entered into with or a certificate issued by mutual insurance organizations, or other forms of effective insurance coverage, if any, in order to meet their obligations for seafarers' repatriation in accordance with the provisions of this Article. In the event that the above-mentioned documents for ships engaged on international voyages or voyages commencing in the port of a foreign country are not drawn up in English, such documents shall be provided with a translation into English.
3. Seafarers are entitled to repatriation at the shipowner's expense in the following circumstances:
 - (a) Upon the expiry of the period of notice given in accordance with the provisions of the seafarers' employment agreement.
 - (b) When the seafarers' employment agreement is terminated:
 - i) by the shipowner; or
 - ii) by the seafarer for justified reasons; and also
 - (c) When the seafarers are no longer able to carry out their duties under their employment agreement or cannot be expected to carry them out in the specific circumstances.
4. The circumstances in which seafarers are entitled to repatriation in accordance with paragraph 3(b) and (c) of this Article are the following:
 - (a) in the event of illness or injury or other medical condition – which are not attributed to a voluntary act and have occurred due to no fault of the seafarer– which requires their repatriation when found medically fit to travel;
 - (b) in the event of shipwreck;
 - (c) in the event of loss of the Greek flag;
 - (d) in the event of sale of ship at a public auction;
 - (e) in the event of dismissal on grounds not attributable to the seafarers.
 - (f) in the event of any circumstances provided for in an applicable collective agreement or seafarers' employment agreement.
5. Seafarers are not entitled to repatriation in the event of/that:

- (a) Termination of the seafarers' employment agreement due to seafarer's default in the performance of their obligations and duties;
 - (b) the seafarers' employment agreement has been drafted for a specific voyage only;
 - (c) following dismissal, a new seafarers' employment agreement has been entered into;
 - (d) termination of the seafarers' indefinite-term employment agreement prior to the elapsing of one year from the date of its conclusion or the elapsing of a time-period specified in the seafarers' employment agreement or any applicable collective agreement which is shorter than twelve (12) months
6. A seafarer's right to repatriation is defined as their right to return to their place of origin or nationality or residence or to the port where the ship's voyage commenced or to the place where the seafarers' employment agreement was signed or in any other place which may be mutually agreed upon under the seafarers' employment agreement.
 7. In the event of young seafarers under the age of 18 who have served on a ship for at least four months during their first foreign-going voyage for whom it becomes apparent –in the Master's judgment and in cooperation both with the Head of Service whereto the young seafarers concerned belong, as well as with the shipowner–, that they are unsuited to life at sea, they should be given the opportunity of being repatriated at no expense to themselves from the first suitable port of call in which there are Greek Consular Authorities or Consular services of the Flag State, or the State of nationality or residence of the young seafarer so that they provide every possible practical assistance for their repatriation. Where the aforesaid Consular services are not available and a young seafarer's repatriation, in the Master's opinion, needs to take place immediately, it shall be proceeded with in a suitable port of the seafarer's choice and in accordance with the shipowner's instructions. The Master shall notify the authority which issued the papers enabling the young seafarers concerned to take up seagoing employment, as well as the Maritime Labor Directorate of the Ministry of Shipping of any such repatriation, along with the reasons therefor.
 8. The costs to be borne by the shipowner for repatriation shall include at least: transportation to the destination selected for repatriation, accommodation and food from the moment the

seafarers leave the ship until they reach the repatriation destination. Shipowners take responsibility for repatriation arrangements by appropriate and expeditious means, taking into account that for distances in excess of 500 kilometers, the normal mode of transport is by air. Where a seafarer is repatriated as a member of the crew, they are entitled to receive remuneration for services provided for the duration of the voyage.

9. Unless otherwise provided for in an applicable collective agreement, the entitlement to repatriation, other than that defined under paragraph 4a hereof, may lapse if the seafarers concerned do not claim it within 48 hours from the time it occurs, by submitting a related statement to the Master.
10. Shipowners are prohibited from requiring that seafarers make an advance payment towards the cost of repatriation at the beginning of their employment, and also from recovering the cost of repatriation from the seafarers' wages or other entitlements except where the seafarer has been found, in accordance with national laws or regulations or ethical rules, to be in serious default of the seafarer's employment obligations, or in cases provided for in an applicable collective bargaining agreement.
11. A copy of this Article shall be duly kept on board ship and shall be available, care of the Master, to seafarers in a language that they understand.

Article 11 Manning levels

1. Ships shall be manned with a crew that is adequate according to crew size requirements and any applicable standards.
2. Ships engaged on voyages from a country to a port outside such country and ships operating from a port or between ports outside Greece shall carry a Minimum Safe Manning Document. The Minimum Safe Manning Document which is issued according to what is provided for in Regulation V/14, paragraph 2, Chapter V of the International Convention for the Safety of Life at Sea (SOLAS), meets the requirements set out herein. For ships engaged on domestic voyages the crew list meets the requirement for a Minimum Safe Manning Document.

Article 12

Career and skill development and employment opportunities for seafarers

1. The Ministry of Shipping and the Aegean in cooperation with any organization of the Greek Administration required devises and implements policies to promote employment in the maritime sector and to encourage career and skill development and greater employment opportunities for seafarers domiciled in Greece.
2. The aim of the above-mentioned policies are:
 - (a) to provide the maritime sector with a stable and competent workforce in order to meet ships' manning needs
 - (b) to help seafarers strengthen their competencies, qualifications and employment opportunities in any job position offered in maritime transport.
3. For the development and implementation of the policies referred to in paragraph 1 hereof, special consideration is given to reports prepared by the Maritime Chamber of Greece, the Maritime Training Council, the Administrative Council of the Seafarers' Employment Bureau and the Administrative Council of the Seaman's Home. The aforesaid Councils, when drawing up such reports, take due account of Guideline B2.8 of the Convention.
4. The provisions of this Article are independent of the competencies of the Ministry of Shipping which are exercised in accordance with what is stipulated in paragraph 3 of Standard A2.8 of the Convention.

CHAPTER C' CREW ACCOMMODATION, RECREATIONAL FACILITIES, FOOD AND CATERING

Article 13 Scope – General Provisions

1. The provisions set forth in this Chapter, other than the provisions of Article 26 hereof, shall apply to all ships built on or after January 4, 2014, with the exception of ships which are not required to recruit seafarers in accordance special provisions. A ship shall be deemed to have been constructed when its keel is laid or when it is at a similar stage of construction.
2. For ships not subject to the provisions of paragraph 1 hereof, the

following shall apply:

- (a) For ships of more than 500 gross tonnage engaged on international voyages, built after July 18, 1986, the provisions of L.1637/1986 "Ratification of International Labor Convention No. 92 on the accommodation of ship crews (revised 1949) (A' 107)", as in force at present;
 - (b) For ships of more than 1000 gross tonnage engaged on international voyages, built after May 19, 1986, the provisions of L.1594/1986 "Ratification of International Labor Convention No. 133 on the accommodation of ship crews (supplementary provisions) (A' 65)", as in force at present;
 - (c) For ships of 100 - 500 gross tonnage engaged on international voyages, the provisions of Presidential Decree 259/1981 "On Regulations on the accommodation of the Master and crew of Greek merchant ships (A' 72), as in force at present;
 - (d) For ships of more than 500 gross tonnage engaged on international voyages for matters not expressly regulated or implemented under the provisions of International Conventions 92 and 133, the provisions of Presidential Decree 259/ 1981 shall apply, as in force at present;
 - (e) For all other ships engaged on domestic voyages, the provisions of Presidential Decree 259/1981 as in force at present and of Presidential Decree 221/2001 "Regulations on the accommodation of passengers and crew aboard High Speed Craft", as in force at present (A'171).
3. The provisions of paragraph 2 hereof shall not apply to ships which voluntarily fall under the scope of Regulation 3.1 of the Convention.
 4. Unless expressly provided otherwise, any requirement under an amendment to the Code of the Convention relating to the provision of seafarers accommodation and recreational facilities, shall apply only to ships built on or after the date on which such amendment takes effect under the national legislation.
 5. For the implementation of this Chapter, other than the provisions of Article 26 hereof, the following shall be given due consideration:
 - (a) The provisions of Article 29 on health and safety protection and accident prevention and the Code's related provisions on health and safety protection and accident prevention, taking into account the specific needs of seafarers who live and work on board;
 - (b) The guidelines contained in Part B of the Code.
 6. The inspections required under Regulation 5.1.4 of the Convention

shall be carried out when:

- (a) A ship is registered or re-registered, or
 - (b) At least 30% of the initial total floor area occupied by accommodation spaces and recreational facilities has been substantially altered.
7. The inspections required under Regulation 5.1.4 of the Convention shall be carried out when the competent authority pays particular attention to ensuring/ensures implementation of the requirement set out herein relating to:
 8. Ships subject to the provisions of this Chapter, other than the provisions of Article 26 hereof, shall meet the minimum standards set out here below.
 9. In the case of ships where it is necessary to take into account, without discrimination, the interests of seafarers having differing and distinctive religious and social practices, the competent authority may, following consultation with the shipowners' and seafarers' organizations concerned, allow for fairly applied variations in relation to this Chapter, provided that such variations do not result in less favorable facilities than those which would result from the implementation of this standard.
 10. For the purposes of this Chapter, other than the provisions of Article 11, "*competent authority*" shall mean the Directorate for Designs and Constructions, and the Directorate for the Inspection of Vessels of the Ministry of Shipping.

Article 14 **General requirements**

1. Shipowners shall ensure that their ships provide and maintain decent accommodation and recreational facilities for seafarers working or living on board, or both, for the sake of promoting seafarers' health and well-being.
2. The minimum permitted headroom in all seafarer accommodation spaces where full and free movement is necessary shall be not less than 203 centimeters. In any of these spaces or in part thereof, the Directorate for Designs and Constructions of the Ministry of Shipping may allow for a 198-cm reduction in headroom when it is satisfied that such reduction:
 - (a) is reasonable, and
 - (b) will not cause discomfort to seafarers.
3. Accommodation facilities shall be adequately insulated in order to

meet the needs for which they are intended. External bulkheads of sleeping rooms and mess rooms should be adequately insulated. All machinery casings and all boundary bulkheads of galleys and other spaces in which heat is produced shall be adequately insulated where there is a possibility of resulting heat effects in adjoining accommodation or passageways. Air shaft bulkheads in the engine room, as well as steam, oil and hot water service pipes, where they pass through accommodation spaces, shall be insulated with a suitable material in order to ensure adequate protection from heat effects.

4. Sleeping rooms, mess rooms, recreation rooms and alleyways in the accommodation spaces should be adequately insulated to prevent condensation or overheating.
5. The bulkhead surfaces and deckheads should be of material with a surface easily kept clean.
6. The bulkhead surfaces and deckheads in sleeping rooms and mess rooms should be capable of being easily kept clean and light in color with a durable finish.
7. Where floorings are made of composite materials, the joints with the sides should be profiled to avoid crevices.
8. On cargo ships, sleeping rooms are situated above the load line amidships or aft. In exceptional cases where the size, type or intended service of the ship render any other location unreasonable or impracticable, sleeping rooms may be located in the fore part of the ship, but in no case forward of the collision bulkhead.
9. On passenger ships and Special Purpose ships, the competent authority may, on the condition that satisfactory arrangements are made for lighting and ventilation, allow that sleeping rooms be located below the load line, but in no case immediately beneath working alleyways (such as space destined for vehicles, galleys, etc).
10. There shall be no direct openings into sleeping rooms from spaces for cargo and machinery or from galleys and storerooms. That part of the bulkhead separating such places from sleeping rooms and external bulkheads shall be efficiently constructed of steel or other approved material and shall be watertight and gastight. In case that sleeping room doors and engine room doors are located on the same passageway, engine room doors shall close automatically.
11. The materials used to construct internal bulkheads, panelling and sheeting, floors and joinings shall be suitable for the purpose and

conducive to ensuring a healthy environment.

12. Proper and sufficient lighting shall be provided so as to permit a person with a normal vision to read an ordinary newspaper in any part of the space.
13. If there are not two independent sources of electricity for lighting, additional lighting shall be provided by properly constructed lamps or lighting apparatus for emergency use.
14. In sleeping rooms an electric reading lamp shall be installed at the head of each berth.
15. On passenger ships, sleeping rooms and galleys a part of which is located below the load line shall be adequately lighted by natural light or provided with artificial light.
16. Crew accommodation and recreational and catering facilities and services are designed, built and maintained in a way so as to meet the requirements set out in Article 29 on health and safety protection and accident prevention, with respect to preventing the risk of exposure to hazardous levels of noise and vibration and other ambient factors and chemicals aboard ships, and to provide an acceptable occupational and onboard living environment for seafarers. More specifically, accommodation and recreational and catering facilities should be located as far as practicable from the engines, steering gear rooms, deck winches, ventilation, heating and air-conditioning equipment and other noisy machinery and apparatus.

Article 15

Ventilation, heating and air-conditioning

1. Without prejudice to more specific requirements for galley spaces, all ship accommodation spaces shall be adequately ventilated by means of a suitable mechanical system which shall be capable of effecting at least ten (10) changes of air per hour, vacuums included.
2. The system of ventilation for sleeping rooms and mess rooms should be controlled so as to maintain the air in a satisfactory condition and to ensure a sufficiency of air movement in all conditions of weather and climate.
3. Ventilation openings in accommodation spaces shall be so

arranged as to avoid causing drafts or discomfort to the occupants.

4. All sanitary spaces shall be fitted with a mechanical ventilation system to the open air, irrespective of any other part of the accommodation.
5. Ships shall be equipped with air-conditioning for all crew accommodation spaces, for any separate radio-telecommunications room and for any centralized machinery control room.
6. The air-conditioning system shall be so arranged as to ensure that cool air is conveyed through a duct in every quarter of the accommodation, while the used air shall be released from a grating located at the opening or bulkhead of the quarter. The system's cooling capacity shall be such as to ensure room temperature of 29 °C with a relative humidity of 50% approximately as compared to outdoor temperature of 35 °C and a relative humidity of 70%.
7. Air-conditioning systems, whether of a centralized or individual unit type, should be designed to:
 - (a) Ensure a sufficiency of air changes in all air-conditioned spaces, take account of the particular characteristics of operations at sea and not produce excessive noises or vibrations, and
 - (b) Facilitate easy cleaning and disinfection to prevent or control the spread of disease.
8. In the event of an individual air-conditioning unit, a suitable drain system shall be provided.
9. Adequate heat through an appropriate heating system shall be provided in accommodation spaces, except on ships which are exclusively engaged on voyages in tropical climates. An accommodation space is deemed adequately heated when heating is provided either through a central heating installation or an air-conditioning system, ensuring a constant temperature of 18 °C *ad minimum* in such accommodation spaces as compared to an atmospheric temperature of -5 °C.
10. In all ships in which a heating system is required, the

heating should be by means of hot water, warm air, electricity, steam or equivalent. However, within the accommodation area, steam should not be used as a medium for heat transmission. The use of radiators and other heating apparatus, if not shielded, shall not be permitted.

11. Radiators and other heating apparatus should be so manufactured and permanently installed as to avoid risk of fire or accident or discomfort to the occupants.
12. The system of mechanical ventilation, air-conditioning and heating in the seafarer accommodation should be in operation at all times when seafarers are living or working on board and conditions require its use. However, this power need not be provided from an emergency source.

Article 16 **Sleeping rooms**

1. Sleeping rooms for seafarers living and working on board are required on all ships, with the exception of:
 - (a) ships of less than 100 gross tonnage;
 - (b) **ships falling within the scope of the IMO Code for High Speed Craft**, having regard to the provisions concerning maximum crew working time aboard high speed passenger and passenger-ferry ships. In any case, it is permissible not to construct sleeping rooms, provided that further to what is mentioned above at least one double-berth room is available to be used in special cases such as seafarer's illness and patient transportation. Moreover, where the above-mentioned sleeping room is not equipped with private sanitary facilities, provision shall be made for a communal sanitary space in close proximity thereto.
2. There shall be different types (categories) of sleeping room facilities for:
 - a. The Master
 - b. Officer
 - c. Crew

3. The type of sleeping room shall be neatly and permanently displayed on a door sign or engraved on the exterior side of each sleeping room's door.
4. The Master and Chief Engineer shall be provided each with an individual sleeping room.
5. On non-passenger ships of more than 500 gross tonnage, each officer shall be provided with an individual sleeping room.
6. On non-passenger ships of less than 500 gross tonnage, without prejudice to paragraph 4 hereof, each officer shall be provided either with an individual sleeping room or a sleeping room to be occupied by a maximum of two (2) seafarers.
7. On non-passenger ships of 3000 gross tonnage, crew members (i.e. seafarers not performing the duties of ship's officers) shall be provided either with an individual sleeping room or a sleeping to be occupied by a maximum of two (2) seafarers.
8. On non-passenger ships of more than 3000 gross tonnage, crew members (i.e. seafarers not performing the duties of ship's officers) shall be provided with an individual sleeping room.
9. With respect to officers and crew on passenger ships, without prejudice to paragraph 4 hereof, a sleeping room may accommodate a maximum of four (4) seafarers.
10. On special purpose ships, sleeping rooms may accommodate more than four (4) seafarers following approval granted by the competent authority.
11. There shall be separate sleeping rooms for men and women.

Article 17

Sleeping room floor area and equipment

1. Sleeping rooms shall be of adequate size and properly

equipped so as to ensure reasonable comfort and to facilitate tidiness.

2. A separate berth shall in all circumstances be provided to each seafarer.
3. The minimum inside dimensions of a berth shall be the following:
 - a. for the Master, 1,98 m x 1,20 m.
 - b. for ship's Officers, 1,98 m x 1,00 m.
 - c. for the crew, 98 x 0,80 m.
4. In single-berth sleeping rooms, the floor area shall not be less than:
 - a. 4,5 square meters on ships of less than 3.000 gross tonnage.
 - b. 5,5 square meters on ships of 3.000 - 10.000 gross tonnage.
 - c. 7 square meters on ships of 10.000 gross tonnage or over.
5. In order to provide single berth sleeping rooms on ships of less than 3,000 gross tonnage, on passenger ships and special purpose ships, the competent authority may allow for a reduced floor area.
6. On ships of more than 500 and less than 3,000 gross tonnage, other than passenger ships and special purpose ships, sleeping rooms accommodating a maximum of two seafarers shall have a floor area that shall not be less than 7 square meters.
7. On passenger ships and special purpose ships the floor area of sleeping rooms for seafarers not performing the duties of ships' officers shall not be less than:
 - a. 7,5 square meters in sleeping rooms accommodating two persons.
 - b. 11,5 square meters in sleeping rooms accommodating three persons.
 - c. 14,5 square meters in sleeping rooms accommodating four

persons.

8. On special purpose ships, the floor area of sleeping rooms accommodating more than four persons shall not be less than 3,6 square meters per person.
9. On ships other than passenger ships and special purpose ships, sleeping rooms for seafarers who perform the duties of ships' officers, where no private sitting room or day room is provided, shall have a floor area per person not less than:
 - a. 7,5 square meters in ships of less than 3.000 gross tonnage;
 - b. 8,5 square meters in ships of 3.000 gross tonnage or over but less than 10.000 gross tonnage
 - c. 10 square meters in ships of 10.000 gross tonnage or over;
10. On passenger ships and special purpose ships, sleeping rooms for seafarers performing the duties of ships' officers, where no private sitting room or day room is provided, shall have a floor area per person for officers not less than 8,5 square meters.
11. On ships of more than 3000 gross tonnage, the Master, the Chief Engineer and the Deck Officer with the highest level of seniority shall have, in addition to their sleeping rooms, an adjoining sitting room, day room or equivalent additional space.
12. For each occupant, the furniture shall include a clothes locker of ample space (minimum 475 litres) and a drawer or equivalent space of not less than 56 litres. If the drawer is incorporated in the clothes locker, then the combined minimum volume of the clothes locker shall be 500 litres. The clothes locker shall be fitted with a shelf and be able to be locked by the occupant so as to ensure privacy.
13. Each sleeping room shall be provided with a table or desk, which may be of the fixed, drop-leaf or slide-out type, and with comfortable seating accommodation as necessary.

14. On ships of more than 500 gross tonnage, the sleeping rooms of Officers shall be provided with a sofa whose dimensions shall be proportionate to the sleeping room's floor area and the number of occupants.
15. Furniture shall be made of a smooth, hard material not liable to warp or corrode.
16. Sleeping rooms shall be fitted with a mirror, small cabinets for toilet requisites, a book rack and a sufficient number of coat hooks.
17. Sleeping rooms shall be fitted with curtains or equivalent for the sidelights.
18. Berths should not be arranged in tiers of more than two when placed vertically (one over the other).
19. In the case of berths placed along the ship's side, there should be only a single tier where a sidelight is situated above a berth.
20. The lower berth in a double tier should be not less than 30 centimeters above the floor; the upper berth should be placed approximately midway between the bottom of the lower berth and the lower side of the deckhead (ceiling) beams.
21. Each berth shall be fitted with a mattress with cushioning bottom or a combined cushioning mattress, including a spring bottom or a spring mattress. The mattress and cushioning material used should be made of approved material.
22. When one berth is placed over another, a dust-proof bottom should be fitted beneath the bottom mattress or spring bottom of the upper berth.
23. The frame of a berth should be of an approved material, and not likely to corrode or to harbor vermin.
24. If tubular frames are used for the construction of berth frames, they should be completely sealed and without

perforations for the sake of maintenance and hygiene.

25. Berths shall be so arranged as to ensure the greatest comfort possible for the seafarer and any partner who may accompany the seafarer.
26. As far as practicable, sleeping rooms of seafarers should be so arranged as to be distributed per seafarer's occupational specialty and in a way that watches are separated, and that no seafarers working during the day share a room with watchkeepers.
27. Space occupied by berths and lockers, chests of drawers and seats should be included in the measurement of the floor area, with the exception of small or irregularly shaped spaces which do not add effectively to the space available for free movement and cannot be used for installing furniture.

Article 18 **Mess rooms**

1. All ships, with the exception of those of less than 100 gross tonnage, are required to provide seafarers with mess rooms.
2. In the event that food is not provided on board, the shipowner shall pay seafarers a food allowance according to the Maritime Labor Convention in force or the seafarer's employment agreement.
3. Where mess room accommodation is provided on board, the following requirements shall be met:
 - a. Mess rooms shall be located apart from the sleeping rooms and as close as practicable to the galley.
 - b. Adequate mess room accommodation shall be provided for the crew, except for watchkeepers, for catering purposes. Mess rooms shall be of adequate comfort, furnished and equipped (including rest facilities), taking account of the number of seafarers who are likely to use them at any one time. On ships of more than 500 gross tonnage, with the exception of

passenger ships with a crew of less than 20 persons, separate mess rooms shall be provided for the Master and Officers, and for the crew.

- c. Mess rooms shall be maintained clean and in a good condition.
 - d. They shall be so designed, laid out and built as to allow proper maintenance and cleaning, prevent or minimize airborne pollution protect from pollutant accumulation, prevent exposure to toxic substances and keep particles from falling on food.
 - e. On ships other than passenger ships the floor area of mess rooms for seafarers should be not less than 1,5 square meters per person of the planned seating capacity.
 - f. Restaurants are allowed on passenger ships for providing catering services to part of the crew which shall be determined by the competent authority taking account of the total number of crew members, the type of voyages and operating needs of each ship.
 - g. In all ships, mess rooms shall be equipped with tables and appropriate seats, fixed or movable, sufficient to accommodate the greatest number of seafarers likely to use them at any one time.
4. When seafarers are on board, there should be available at all times:
- a. a refrigerator which shall be conveniently situated and of sufficient capacity for the number of persons using the mess room or mess rooms, and shall be fitted with a thermometer.
 - b. Facilities for hot beverages, and
 - c. Cool water facilities or a portable water cooler in communal areas.
 - d. Proper facilities (consisting of a cold and hot running water supply installation and sinks) for washing catering utensils or a dishwashing machine.

- e. Where available pantries are not accessible to mess rooms, adequate lockers for mess utensils and proper facilities for washing utensils shall be provided.
- f. Tables used in mess rooms shall have a surface of at least 0,25 square meters and shall be 0,55 meters long per person. The tops of tables shall be of damp-resistant material and shall have soldered joints. Tables and seats shall be so placed as to facilitate access thereto. The tops of seats shall be of damp-resisting material, without cracks.

Article 19 **Galleys**

1. Ships, other than those of less than 100 gross tonnage, engaged on voyages whose type and duration call for a galley on board, shall be adequately and properly equipped in order to cater to the crew's needs.
2. Galleys shall be adequately lighted, and other than natural ventilation to the open air, they shall be fitted with a mechanical ventilation system above cooktops and ovens which shall effect a minimum of twenty (20) air changes per hour, vacuums included.
3. Cooking appliances in the galley area shall not be adjacent to the sides and vertical bulkheads of the ship.
4. The galley and mess room may be laid out in the same space only on non-passenger ships of less than 500 gross tonnage and on passenger ships with a crew of less than 20 persons.
5. Galleys shall be so laid out as to allow the implementation of rules of good practice as regards food hygiene, pollution prevention included.
6. Any object, device or equipment coming into contact with food shall be maintained in good condition so as to minimize any pollution risk and shall be thoroughly cleaned, while when required it shall be disinfected.

Article 20
Sanitary facilities

1. All seafarers on board shall have easy access to sanitary facilities which shall meet the minimum health and hygiene standards, as well as reasonable standards of comfort, while separate hygiene facilities shall be provided for men and women.
2. On ships of more than 1500 gross tonnage, there shall be sanitary facilities consisting of a toilet and a wash basin, within easy access of the navigation bridge and the engine room or near the engine room control centre.
3. On all ships a minimum of one toilet, one wash basin and one tub or shower or both for every six persons or less who do not have private sanitary facilities within their sleeping rooms shall be provided at a convenient location.
4. Without prejudice to paragraph 3 hereof, in all circumstances, the total number of toilets shall not be less than:
 - a. 3, on ships of 500 to 800 gross tonnage
 - b. 4, on ships of 801 to 3.000 gross tonnage
 - c. 5, on ships of 3.001 to 6000 gross tonnage
 - d. 6, on ships of more than 6.001 gross tonnage
5. In addition:
 - a. On ships of more than 500 gross tonnage, the Master's sleeping room shall be provided with an adjoining private sanitary space consisting of a toilet, tub or shower and wash basin, while hot and cold running fresh water shall be available. The wash basin may be installed within the sleeping room space.
 - b. On ships of 5,000 gross tonnage or over but less than 15,000 gross tonnage at least 5 senior Officers' sleeping rooms shall be provided with adjoining private sanitary spaces consisting of a toilet, tub or shower and wash basin, while hot and cold running fresh water shall be available. The wash basin may be installed within the sleeping room space.

- c. On ships of 15,001 gross tonnage or over, Officers' sleeping rooms shall be provided with adjoining private sanitary spaces consisting of a toilet, tub or shower and wash basin, while hot and cold running fresh water shall be available. The wash basin may be installed within the sleeping room space.
- d. On ships of 25,001 gross tonnage or over, other than passenger ships, private sanitary for every two ratings shall be provided, either in an intercommunicating compartment between adjoining sleeping rooms or opposite the entrance of such rooms, which shall be fitted with a toilet, as well as a tub and/or shower bath and a washbasin having hot and cold running fresh water.
- e. With the exception of passenger ships, all sleeping rooms shall be fitted with a wash basin having cold and hot running fresh water, except where such a wash basin is situated in the private bathroom provided.
- f. On passenger ships employing a crew in excess of 100 persons of the same sex, one (1) water closet shall be provided for every ten (10) persons.
- g. On passenger ships normally engaged on voyages of not more than four hours' duration, consideration may be given by the competent authority to special arrangements or to a reduction in the number of facilities required.
- h. Hot and cold running fresh water shall be available in all wash places.
- i. Wash basins and tub baths shall be of adequate size and constructed of approved material with a smooth surface not liable to crack, flake or corrode.
- j. Water closets shall be of the European type and shall be provided with:
 - i) a flush of water, or other suitable flush system such as

- air-fed systems, available at all times and independently controllable.
 - ii) Soap and toilet paper.
6. Sanitary facilities intended for use by more than one person shall meet the following requirements:
- a. Floors shall be of an approved durable material, impervious to damp, easily cleaned and fitted with a proper drain system.
 - b. Bulkheads shall be of steel or other approved material and shall be watertight up to at least 23 cm above the level of the deck.
 - c. Sanitary facilities shall be sufficiently lighted, heated and ventilated.
 - d. Water closets shall be situated convenient to, but separate from, sleeping rooms and wash rooms, without direct access from the sleeping rooms or from a passage between sleeping rooms and water closets to which there is no other access. This requirement shall not apply where a water closet is located in a compartment between two sleeping rooms accommodating a total of not more than four (4) persons.
 - e. Where there is more than one water closet in a compartment, they shall be sufficiently screened to ensure privacy.
 - f. An adequately sized mirror and a watertight plug shall be mounted over each wash basin.

Article 21

Hospital accommodation

1. Ships carrying 15 or more seafarers and engaged on voyages of more than three days duration, and exceeding 1600 gross tons, shall provide separate hospital accommodation to be used exclusively for medical purposes. The provisions of this Article

shall not apply to passenger ships engaged on domestic voyages.

2. The hospital accommodation shall be in all weathers easily accessible, it shall provide comfortable housing for the occupants and be conducive to their receiving prompt and proper care. Furthermore, it shall be so situated as to exclude noise coming from the ship's engine room and propellers.
3. The arrangement of the entrance, berths, lighting, heating, ventilation, water supply and medical equipment in general shall be so designed and constructed as to ensure patient comfort and facilitate appropriate first-aid provision and patient treatment.
4. Entrances to hospital accommodation shall be at least 75 centimeters wide.
5. Lighting in the hospital accommodation shall be the same as in any other accommodation space on board. In addition, a portable electric medical examination light shall be provided.
6. The number of available berths in the hospital accommodation area shall not be less than:
 - a. One (1), on ships operating with a prescribed manning of up to twenty (20) crew members
 - b. Two (2) on ships operating with a prescribed manning of up to forty (40) crew members
 - c. Three (3) on ships operating with a prescribed manning of more than forty (40) crew members.
7. On ships providing single-berth sleeping rooms for all crew members, the number of hospital berths provided for in subparagraphs (b) and (c) of paragraph 6 hereof may be reduced to one (1).
8. An electric call button or phone device shall be installed next to each hospital berth allowing patients to seek help.
9. Sanitary facilities shall be provided for the exclusive use of any patients on board, consisting of a toilet, wash basin, tub or shower, situated within or in proximity to the hospital

accommodation space and having hot and cold running fresh water.

10. The hospital accommodation shall be furnished with a cabinet, similar to that provided in sleeping rooms, and a small closet for storing bedclothes.
11. The hospital accommodation shall not be used for any purpose other than patient treatment.
12. The sign "Hospital Accommodation" shall be indelibly printed or engraved on a plate mounted on or above the outer side of the door of such accommodation space.

Article 22

Laundry facilities

1. Ships shall be equipped with appropriately situated laundry facilities.
2. On ships of more than 500 gross tonnage, laundry facilities provided for seafarers' use shall include:
 - a. a sufficient number of washing machines, the proportion being one washing machine per twenty five (25) seafarers. An exemption from this requirement may be granted to passenger ships with organized laundry facilities for passenger dry cleaning service, capable of meeting the needs of all crew members.
 - b. Drying machines or adequately heated and ventilated drying rooms furnished with clothes hanging ropes or racks or other equivalent means, and
 - c. Irons and ironing boards or their equivalent.
3. Clothes drying equipment shall be located away from sleeping rooms and mess rooms.

Article 23

Recreational facilities and amenities

1. All ships shall have a space or spaces on open deck to which seafarers can have access when off duty, which shall occupy an adequate area relative to the size of the ship and the number of seafarers on board.
2. All ships, other than those of less than 3,000 gross tonnage, shall be provided with separate offices or a common ship's office for use by deck and engine departments.
3. Ships of more than 8000 gross tonnage shall have a private recreation room.
4. Recreation rooms are so constructed, furnished and equipped as to meet the purpose for which they are intended (TV sets, electronic devices such as DVD, CD, MP3 players, world band radio receiver, personal computers, etc). Moreover, sports equipment and exercise equipment shall be provided in order to enable seafarers to exercise physically.
5. Ships of more than 1600 gross tonnage shall be equipped with a library containing at least 50 books that shall be regularly renewed, as

- well as with audiovisual material (for instance, movies, TV series, etc), the stock of which should be adequate for the duration of the voyage and changed at reasonable intervals. The audiovisual material shall also include training material in respect of the adoption of measures for the protection of human life at sea, ship and passenger salvage operations following maritime accidents, the protection of the marine environment, health and occupational safety.
6. The library shall be located in the recreation room, otherwise it shall be found in any other space deemed suitable for this purpose.
 7. When a recreation room is not provided on board, mess rooms shall be equipped with a TV set, world band radio receiver, CD/DVD player. Where a mess room is not available on board, seafarers shall be at least provided with a DVD, CD, MP3 player or world band radio receiver, as appropriate.
 8. The shipowner shall ensure that recreational facilities and amenities undergo regular inspections in order to establish their suitability in view of the changing needs of seafarers as a result of technical, operational and other type of developments in the maritime industry.

Article 24

Cleaning and hygiene

1. Crew accommodation spaces are cleaned and ventilated on a daily basis under the supervision of the Master. In particular, overall cleaning of accommodation spaces, passageways, staircases and access ways to them is performed regularly, at intervals not exceeding three months and on an extraordinary basis following performance of maintenance works (dry docking, annual or extraordinary survey, etc), and whenever deemed necessary, in the framework of MLC implementation monitoring.
2. When a crew member is about to occupy a sleeping room that has not been cleaned for a time-period in excess of one month, overall cleaning shall be performed. During such overall cleaning, ceilings, bulkheads, floors and furniture in accommodation spaces shall be cleaned with a suitable detergent. Furthermore, mattresses shall be aired on open deck.
3. Accommodation spaces shall be painted on a regular basis so that they are maintained at all times in a good condition.
4. In the event that the existence of vermin is observed on board,

- immediate measures shall be taken by the Master for their extermination, and a related entry shall be made in the log including a description, among others, of the type of measures that were taken.
5. To Ships regularly trading in mosquito infested ports shall be fitted with the appropriate devices as required by the competent authority.
 6. An Officer who shall be designated by the Master shall ensure that the measures ordered by the Master are duly implemented on board, so as to ensure that accommodation spaces are clean and maintained in a decent and good condition as far as repairs are concerned. Every two weeks, the Master shall perform in person an inspection of the accommodation spaces and shall make a related entry in the bridge log book.

Article 25

Registration of ships under the flag of other countries

1. In the event of registration in the Hellenic Register of Shipping of a ship flying the flag of a country that has ratified the MLC or being at a phase of advanced construction, for which it is not technically feasible to comply with the requirements relating to accommodation, hygiene and recreation as set out in this Chapter, the Manager of the Branch for the Inspection of Merchant Vessels may approve exemptions previously granted in accordance with Title 3 of the MLC, as well as other exemptions from the aforementioned requirements upon submittal of a request in writing by the interested party in conjunction with a related technical report drawn up by a certified Naval Architect or the authority issuing Ship Safety Certificates, documenting that compliance is technically unfeasible and including a proposal of the interested party for adoption of equivalent measures.
2. Any exemptions referred to in paragraph 1 hereof which are approved are recorded in Part I of the Declaration of Maritime Labor Compliance (DMLC).

Article 26

Food and catering

1. The Master shall ensure that seafarers on board are provided, free of charge, with food and drinking water of appropriate quality, nutritional value and quantity that adequately meet the requirements of the ship's crew. Catering expenses shall be borne by the shipowner. The Master shall ensure that tables listing the food provided are posted on a location on board easily accessible to seafarers.
2. Where food supplies are concerned, the ship's Master shall ensure that the following standards are met:
 - (a) Food and drinking water supplies, having regard to the number of seafarers on board, the duration and nature of the voyage, shall be suitable in respect of quantity, nutritional value, quality and variety. As regards menu requirements, the Master may select and replace foods with others of equivalent nutritional value, taking account of seafarer's religious requirements and cultural practices
 - (b) The organization and equipment of the catering department shall be such as to permit the provision to seafarers of adequate, varied and nutritious meals prepared and served in hygienic conditions, by avoiding squandering of ingredients
3. Seafarers employed as ships' cooks with responsibility for food preparation must hold a certificate of qualification as ship's cook issued by the Seafarers' Training Directorate of the Ministry of Shipping. Such certification granted by States that have ratified the Certification of Ships' Cook Convention 1946 (No. 69) shall be equally accepted. No seafarer under the age of 18 shall be employed as a ship's cook.
4. Ships which, due to their crew size, are not required to carry a cook and food is provided on board, anyone processing food shall be, under the responsibility of the shipowner, trained or instructed in related areas including food and personal hygiene, as well as handling and storage of food on board. Written documentation attesting to such training, or a declaration signed by the seafarer stating that they have received pertinent information, shall be kept on board.
5. In cases of exceptional necessity, and in the event that the Seafarers' Training Directorate of the Ministry of Shipping no longer exists— the Port or Consular Authorities may approve, upon request of the shipowner or the ship's Master, the granting of an exception permitting a non-fully qualified cook to serve on a specified ship for a specified limited period not exceeding one month or until the next convenient port of call, provided that the person for whom the

exception is granted is trained or instructed in areas including food and personal hygiene as well as handling and storage of food on board.

6. Where food for seafarers is prepared on board, inspections, by or under authority of the Master, shall be carried out at regular intervals not exceeding thirty days by a committee consisting of three seafarers who shall be designated by the Master, with respect to:
 - (a) supplies of food and drinking water, including monitoring the quality thereof;
 - (b) all spaces and equipment used for the storage and handling of food and drinking water, and
 - (c) galley and other equipment for the preparation and service of meals.

With regard to inspection findings, a related entry shall be made in the Bridge Log Book or alternatively a written record shall be kept on board.

CHAPTER D

HEALTH PROTECTION, MEDICAL CARE AND RECREATIONAL ACTIVITIES

Article 27

Medical care on board and ashore

1. Seafarers whilst working on board shall be covered by adequate measures for the protection of their health and shall have access to prompt and adequate medical care as comparable as possible to that which is generally available to workers ashore. Such protection and medical care shall, in principle, be provided at no cost to the seafarers.
2. Shipowners shall ensure that measures providing for health protection and medical care, including essential dental care, for seafarers working aboard their ships are duly adopted which shall:
 - (a) ensure the application to seafarers of any general provisions on occupational health protection and medical care relevant to their duties, as well as of special provisions relating to work on board;
 - (b) ensure that seafarers are given health protection and medical care as comparable as possible to that which is generally available to workers ashore, including prompt access to the necessary

- medicines, medical equipment and facilities for diagnosis and treatment and to medical information and expertise;
- (c) give seafarers the right to visit a qualified medical doctor or dentist without delay in ports of call, where practicable;
- (d) ensure that medical care and health protection services while a seafarer is on board or landed in a foreign port are provided free of charge to seafarers, without prejudice to the provisions on shipowners' liability, and
- (e) are not limited to treatment of sick or injured seafarers but include measures of a preventive character such as health promotion and health education programs.
3. Seafarers working aboard a ship within the territory of Greece, and irrespective of the flag that such ship flies, shall have easy access to healthcare facilities ashore in order to receive immediate medical care when necessary, irrespective of nationality and religious beliefs.
 4. In order to facilitate the exchange of medical and other related information between a ship and those ashore, in cases of illness or injury on board, the ship's Master and relevant on-board and onshore medical personnel shall use a standard medical report form which shall be carried on board; the standard contents of this form are shown in Annex E. The form, when completed, and its contents shall be kept confidential and shall only be used to facilitate the treatment of seafarers.
 5. Ships shall carry a medical chest, medical supplies and equipment, medicines and a medical guide, the specifics of which, as well as any related inspections, are prescribed in Presidential Decree No.376/1995 on the "Minimum safety and health requirements for improved medical treatment on board vessels" according to Council Directive 92/29/EEC of 31 March 1992 (A 206).
 6. Ships carrying 100 or more persons and ordinarily engaged on international voyages of more than three days' duration shall carry a qualified medical doctor who is responsible for providing medical care.
 7. Ships which do not carry a medical doctor shall be required to have either at least one seafarer on board who is in charge of medical care and administering medicine as part of their regular duties or at least one seafarer on board competent to provide medical first aid. Without violating the provisions relating to information and training under Presidential Decree No.376/1995, persons in charge of medical care on board who are not medical doctors shall have satisfactorily completed training in medical care that meets the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended ("STCW"); seafarers

designated to provide medical first aid shall have satisfactorily completed training in medical first aid that meets the requirements of the STCW Convention.

8. In the event of any type of emergency for medical assistance, all ships irrespective of the flag that they fly and the area in which they are trading, are entitled to receive medical advice free of charge by radio or satellite communication with the Medical Advice Center of the Greek Red Cross which is operated by the welfare foundation styled "ERRIKOS DYNAN Hospital" of the Greek Red Cross; the center in question is adequately equipped and is staffed with qualified healthcare professionals of the aforementioned foundation.
9. The above Medical Advice Center is responsible for responding free of charge and in a prompt, smooth and continuous fashion to all medical assistance requests transmitted by ships on a 24-hour, year-round basis. To facilitate the work of the Medical Advice Center, the staff and facilities of the ERRIKOS DYNAN Hospital are available without generating any financial burden on the state budget. The exchange of information between ship and those ashore is carried out, as far as practicable, in accordance with the medical report form displayed in Annex E, taking into account the applicable laws or regulations on medicines and medical supplies, pursuant to the provisions of Presidential Decree No. 376/1995, with the exception of cases of extreme emergency where immediate communication with the Center shall take precedence. For ships sailing under a foreign flag, the equivalent standard designated by the competent authority of the Flag State shall be accepted. The Medical Information Exchange Form of the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual shall be equally accepted. The above-mentioned form, once completed, including any additional data, shall be kept confidential in conformity with the applicable laws on collecting and processing personal data, and shall only be used to facilitate the treatment of seafarers. For the sake of providing optimal medical advice, the Medical Advice Center may keep individual medical records of the seafarers concerned with their prior consent, by duly observing confidentiality requirements.

Article 28

Shipowners' liability

1. Seafarers employed on the ships with a right to material assistance and support from the shipowner with respect to the financial consequences of sickness, injury or death occurring while they are serving under a

seafarers' employment agreement or arising from their employment under such agreement.

2. Shipowners shall be liable to bear the costs for seafarers working on their ships in respect of sickness and injury of the seafarers occurring between the date of commencing duty and the date upon which they are deemed duly repatriated, or arising from their employment between those dates. In the event of termination of a seafarers' employment agreement on grounds of illness or injury of a seafarer who is no longer on board, the sick or injured seafarer, provided that the illness or injury lasts for a long period, is entitled to medical care, including medical treatment and the supply of the necessary medicines and therapeutic appliances, and board and lodging away from home, as well as wages, until the sick or injured seafarer has recovered, or until the sickness or incapacity has been declared of a permanent character, yet for a period not greater than four (4) months. For purposes of calculating the above-mentioned benefits, a special salary may be mutually covenanted and agreed upon under an applicable seafarers' employment agreement or collective agreement. The foregoing provisions are independent of the implementation of any special provisions concerning settlement of compensation seafarers due to occupations accidents.
3. Shipowners shall provide in writing financial security, such as a letter of guarantee issued by a bank or another financial institution, an insurance policy entered into with or a certificate issued by mutual insurance organizations, --in particular a member of the International Group of P & I Clubs or other forms of effective insurance coverage, if any, in order to assure compensation in the event of the death or long-term disability of seafarers due to an occupational injury, illness or hazard, as set out in national law, the seafarers' employment agreement or collective agreement. In the event that the above-mentioned documents for ships engaged on international voyages or voyages commencing in the port of a foreign country are not drawn up in English, such documents shall be provided with a translation into English.
4. Shipowners shall be liable to pay the cost of burial expenses in the case of death occurring on board or ashore during the period of engagement.
5. Shipowners are exempted from liability as set out in paragraph 2 hereof in respect of:
 - (a) injury incurred otherwise than in the service of the ship;
 - (b) injury or sickness due to the willful misconduct of the sick, injured or deceased seafarer; and

(c) sickness or infirmity intentionally concealed when the engagement is entered into.

The provisions of subparagraph (a) hereinabove shall not exclude shipowners from liability in respect of the implementation of provisions for the protection of health and safety and accident prevention.

6. Shipowners are exempted from liability to defray the expense of medical care and board and lodging and burial expenses in so far as such liability is assumed by the public authorities. Accordingly, a shipowner shall cease to be liable to bear the costs of a sick or injured seafarer from the time at which that seafarer can claim medical benefits under a scheme of compulsory sickness insurance, compulsory accident insurance or workers' compensation for accidents. Burial expenses paid by the shipowner shall be reimbursed by an insurance institution in cases in which funeral benefit is payable in respect of the deceased seafarer.
7. Shipowners or their representatives or ship Masters shall take measures for safeguarding property left on board by sick, injured or deceased seafarers and for returning it to them or to their next of kin.
8. This Article does not affect any other legal remedies that a seafarer may seek.

Article 29

Health and safety protection and accident prevention

1. Shipowners shall ensure that seafarers employed on their ships are provided with occupational health protection and live, work and train on board in a safe and hygienic environment. To this end, in the framework of the Regulation on occupational accident prevention aboard ships irrespective of tonnage, which was approved and implemented by virtue Presidential Decree 1349/1981 (A' 336), shipowners shall furnish the Master and seafarers with any required equipment, while they shall see to the improvement of existing standards where practicable and shall adopt necessary measures including those listed below:
 - (a) The adoption and effective implementation and promotion of occupational safety and health policies and programs on ships, including risk evaluation as well as training and instruction of seafarers. The above-mentioned policies and programs may be adopted and implemented by means of the Safety Management System provided for in the ISM Code;

- (b) Reasonable precautions to prevent occupational accidents, injuries and diseases on board, including measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals, as well as the risk of injury or disease that may arise from the use of equipment and machinery aboard ships;
 - (c) on-board programs for the prevention of occupational accidents, injuries and diseases and for continuous improvement in occupational safety and health protection, taking account of the Guidelines on the Basic Elements of a Shipboard Occupational Health and Safety Program, as well as of preventive measures, including engineering and design control, substitution of processes and procedures for collective and individual tasks, and the use of personal protective equipment;
 - (d) Procedures for inspecting, reporting and correcting unsafe conditions and for investigating and reporting on-board occupational accidents;
 - (e) Procedures for revising already implemented measures and for adapting them to changing circumstances.
2. In order to fulfill the obligations set out in paragraph 1 hereof, shipowners shall take account of relevant international instruments dealing with occupational safety and health protection in general and with specific risks, and address all matters relevant to the prevention of occupational accidents, injuries and diseases that may be applicable to the work of seafarers and particularly those which are specific to maritime employment, such as the International Labor Organization code of practice entitled "Accident prevention on board ship at sea and in port", and the International Labor Organization code of practice entitled "Ambient factors in the workplace".
 3. Shipowners, seafarers and others concerned shall comply with the ship's occupational safety and health policy and program, with special attention being paid to the safety and health of seafarers under the age of 18 in accordance with Presidential Decree No. 407/2001. The Master or a person designated by the Master shall take specific responsibility for the implementation of and compliance with the ship's occupational safety and health policy and program.
 4. Compliance with the requirements of applicable international instruments in respect of training provided, the acceptable levels of exposure to workplace hazards on board ships and the development and implementation of ships' occupational safety and health policies and programs, and in particular with the standards set out in the STCW International Convention and the IMO Codes which are mandatory under the SOLAS Convention, shall be considered as

meeting the requirements of this Article.

5. Under the provisions set out herein, shipowners shall not be held liable in the case of incidents which are due to extraneous, abnormal and unforeseeable circumstances or in the event of emergencies whose consequences could not have been prevented despite the exercise of due diligence.
6. On board a ship on which there are five or more seafarers, a safety committee shall be established by the ship's Master which shall consist of a minimum of three seafarers, while due consideration shall be given to the latter's duties and skills in matters of safety and health in order for them to participate in meetings of the committee in question. With regard to the establishment of a safety committee on board ship, a related entry shall be made in the bridge log book and/or the Safety Management System which is provided for by the ISM Code. The function of the ship's safety committee shall be:
 - (a) To contribute to the implementation of an on-board policy and program for the protection of occupational safety and health and for the prevention of occupational accidents, injuries and diseases and to submit to the Master its proposals for the improvement of such policy and program, as well as to act in the capacity assigned to it in the context of the above-mentioned policy and program;
 - (b) To record and review any remarks and proposals submitted by the rest of the crew which are associated with the protection of occupational health and safety and accident prevention;
 - (c) To be advised by the Master of the results of risk evaluation concerning the ship;
 - (d) To investigate, as far as practicable, on-board incidents relating to the protection of occupational safety and health and the prevention of occupational accidents, and to submit to the Master any proposals for corrective and preventive measures.
7. The ship's safety committee shall convene at intervals not greater than three months or whenever it is deemed necessary by the Master. During the meeting of the committee, the Master shall ensure that minutes are duly kept which may be incorporated in the ship's Safety Management System. The appointment of seafarers in the above-mentioned committee and the undertaking of duties connected therewith shall not affect any of their rights nor shall it entail any unfavorable consequences for them due to such appointment.
8. For the evaluation of risks in accordance with what is provided in paragraph 1(a) hereof, shipowners shall take account of:
 - (a) General principles of prevention such as risk avoidance, the evaluation of unavoidable risks, the combating of risks at source,

the adaptation of work to the individual, especially as regards the design of places of work, the choice of work equipment and systems of work, the replacement of the dangerous by the non-dangerous or less dangerous, giving precedence to collective protective measures over individual protective measures;

- (b) Physical occupational health and safety effects, including manual handling of loads, noise and vibration, the chemical and biological occupational health effects, the mental occupational health effects, the physical and mental health effects of fatigue, and occupational accidents;
 - (c) Any views formulated by the Master and the ship's safety committee. Risk evaluation shall be conducted in writing, it shall be available on board and may form part of the ship's Safety Management System.
9. When conducting risk evaluation, shipowners shall refer to and take account of any appropriate statistical information collected from their ships, as well as of general statistics provided by the Ministry of Shipping.
10. To facilitate the investigation conducted by the competent authority, the ship's Master, in the context of the actions proceeded with according to what is laid down in paragraph 1(d) hereof, shall prepare a report on any on-board occupational accident, illness, or injury sustained by a seafarer and shall make a related entry in the bridge log book. The report shall be forwarded by appropriate and expeditious means to the shipowners for purposes of record-keeping, to the Port or Consular Authorities and in case the latter do not exist, to the Ministry of Shipping. The above-mentioned report shall contain as a minimum the following information:
- (a) The seafarer's name, sex, age and professional capacity;
 - (b) Nature of the injury or disease;
 - (c) Date, hour and place of injury or onset of illness; area of the ship, and whether the vessel was at sea or in port;
 - (d) Number of days the seafarer was away from work;
 - (e) The Master's assessment about the causes and circumstances of the injury or illness.
11. The Directorate for the Support of Insurance Organizations of the Ministry of Shipping in cooperation with co-competent Directorates, Departments of the said Ministry and the Hellenic Statistical Authority (EL.STAT. *as per its Greek initials*) shall ensure that:
- (a) Occupational accidents, injuries and diseases are adequately

reported, taking into account the guidance provided by the International Labor Organization with respect to the reporting and recording of 24342 occupational accidents and diseases, including any international or European system or model for recording accidents to seafarers which may have been established by the International Labor Organization.

- (b) Comprehensive statistics of such accidents and diseases are kept, analyzed and published and, where appropriate, followed up by research into general trends and into the hazards identified. Reporting of occupational safety and health matters shall be designed to ensure the protection of seafarers' personal data, in accordance with national laws, and shall take account of the Guidelines provided by the International Labor Organization on this matter. The statistics should record the numbers, nature, causes and effects of occupational accidents and occupational injuries and diseases, with a clear indication, as applicable, of the department on board a ship, the type of accident and whether at sea or in port.
12. The Department of the Ministry of Shipping shall cooperate with shipowners' and seafarers' organizations to take measures to bring to the attention of all seafarers information concerning particular hazards on board ships, for instance, by posting official notices containing relevant instructions.
13. Depending on their abilities, each seafarer shall take care of their own safety and health and of other persons who may be affected by their acts or omissions at work, according to training received or information provided. More specifically, seafarers should:
- (a) Properly operate and handle all machinery, appliances, tools and dangerous substances and other equipment;
 - (b) Properly use personal protective equipment which is put at their disposal and return it to its initial place after use;
 - (c) Not interfere with, remove, or displace the safety device of any machinery, tool, appliance and installation and to properly uses such safety devices.
 - (d) report forthwith to their immediate supervisor any situation which they believe could pose a direct and serious hazard to occupational health and safety, as well as any weakness observed in protection systems.
 - (e) To assist, when requested, the Master, the ship's safety committee and the shipowner so as to facilitate the performance of duties and obligations for the protection of seafarers' occupational health and safety and to ensure that the environment and working conditions

are safe and do not pose any threat to the safety and health of seafarers in their field of activity.

14. The obligations of seafarers in respect of occupational health and safety do not affect the principle of shipowners' liability.

Article 30

Access to shore-based welfare facilities

1. Without prejudice to the provisions on the entry, stay and exit of foreign nationals in/from the country and the provisions on ship's and port's safety, seafarers shall have access to welfare facilities that exist on the Greek territory, irrespective of nationality, race, color, sex, religion, political opinion or social origin and irrespective of the flag State of the ship on which they are employed or engaged or work.
2. The Ministry of Shipping shall promote the development of welfare facilities in appropriate ports of the country; in particular, the ports of Piraeus, Thessaloniki, and Patras are determined as serving this purpose. Information concerning services and/or facilities open to the general public in the above-mentioned ports of call, particularly in respect of transport, welfare, entertainment and educational facilities, as well as facilities provided specifically for seafarers, shall be available to the care of the port administration bodies and port operators.
3. The Ministry of Shipping shall encourage the establishment of welfare boards which shall regularly review welfare facilities and services to ensure that they are appropriate in the light of changes in the needs of seafarers resulting from technical, operational and other developments in the shipping industry.
4. The port administration bodies and port operators especially in the ports of Piraeus, Thessaloniki and Patras shall take measures as far as practicable in order to provide appropriate welfare services to the seafarers of ships calling at these ports. In the implementation of these measures, they shall take into account the special needs of seafarers, especially when in foreign countries and when entering war zones, in respect of their safety, health and spare-time activities, as well as the free circulation of welfare materials such as films, books, newspapers and sports equipment for use by seafarers on board ships.

CHAPTER E'

COMPLIANCE AND IMPLEMENTATION MONITORING

Article 31
Maritime labor certificate and declaration of maritime labor compliance

1. This Regulation applies to ships of:
 - (a) 500 gross tonnage or over, engaged in international voyages; and
 - (b) 500 gross tonnage or over, operating from a port, or between ports, outside Greece.
 - (c) to any ship upon request of the shipowners.
2. Ships shall carry and maintain a maritime labor certificate according to what is stipulated in Article 32 hereof, certifying that the working and living conditions of seafarers on the ship, including measures for ongoing compliance to be included in the declaration of maritime labor compliance referred to in paragraph 3 hereof, have been inspected and meet the requirements of the Convention.
3. Ships shall carry and maintain a declaration of maritime labor compliance stating the national requirements implementing this Convention for the working and living conditions for seafarers and setting out the measures adopted by the shipowner to ensure compliance with the requirements on the ship or ships concerned.
4. Where the Ministry of Shipping or a recognized organization duly authorized for this purpose has ascertained through inspection that a ship meets or continues to meet the standards of this Convention, it shall issue or renew a maritime labor certificate to that effect and maintain a publicly available record of that certificate.
5. All ships shall carry a copy of the Convention which shall be available at all times.

Article 32
Terms, Type and Validity of the maritime labor certificate and declaration of maritime labor compliance

1. The maritime labor certificate shall be issued to a ship for a period which shall not exceed five years. A list of matters that must be inspected and found to meet national laws and regulations or other measures implementing the requirements of this Convention regarding the working and living conditions of seafarers on ships before a maritime labor certificate can be issued is found in Appendix VI.

2. The validity of the maritime labor certificate shall be subject to an intermediate inspection by the competent authority, or by a recognized organization duly authorized for this purpose, to ensure continuing compliance with the national requirements implementing this Convention. If only one intermediate inspection is carried out and the period of validity of the certificate is five years, it shall take place between the second and third anniversary dates of the certificate. Anniversary date means the day and month of each year which will correspond to the date of expiry of the maritime labor certificate. The scope and depth of the intermediate inspection shall be equal to an inspection for renewal of the certificate. The certificate shall be endorsed following satisfactory intermediate inspection.
3. Notwithstanding paragraph 1 of this Article, when the renewal inspection has been completed within three months before the expiry of the existing maritime labor certificate, the new maritime labor certificate shall be valid from the date of completion of the renewal inspection for a period not exceeding five years from the date of expiry of the existing certificate.
4. When the renewal inspection is completed more than three months before the expiry date of the existing maritime labor certificate, the new maritime labor certificate shall be valid for a period not exceeding five years starting from the date of completion of the renewal inspection.
5. A maritime labor certificate may be issued on an interim basis:
 - (a) to new ships on delivery;
 - (b) when a ship changes flag; or
 - (c) when a shipowner assumes responsibility for the operation of a ship which is new to that shipowner.
6. An interim maritime labor certificate may be issued for a period not exceeding six months by the competent authority or a recognized organization duly authorized for this purpose.
7. An interim maritime labor certificate may only be issued following verification that:
 - (a) The ship has been inspected, as far as reasonable and practicable, for the matters listed in Appendix VI taking into account verification of items under subparagraphs (b), (c) and (d) of this paragraph;
 - (b) the shipowner has demonstrated to the competent authority or recognized organization that the ship has adequate procedures to comply with this Convention;
 - (c) the Master is familiar with the requirements of this Convention and the responsibilities for implementation; and

- (d) relevant information has been submitted to the competent authority or recognized organization to produce a declaration of maritime labor compliance.
8. A full inspection in accordance with paragraph 1 hereof shall be carried out prior to expiry of the interim certificate to enable issue of the full-term maritime labor certificate. No further interim certificate may be issued following the initial six months referred to in paragraph 6 hereof. A declaration of maritime labor compliance need not be issued for the period of validity of the interim certificate.
 9. The maritime labor certificate, the interim maritime labor certificate and the declaration of maritime labor compliance shall be drawn up in the form corresponding to the models given in Appendix VII.
 10. The declaration of maritime labor compliance shall be attached to the maritime labor certificate. It shall have two parts:
 - (a) Part I shall be drawn up by the competent authority which shall: (i) identify the list of matters to be inspected in accordance with paragraph 1 hereof; (ii) identify the national requirements embodying the relevant provisions of this Convention by providing a reference to the relevant national legal provisions as well as, to the extent necessary, concise information on the main content of the national requirements. When the national legislation strictly observes the requirements of the Convention, only reference to them is necessary; (iii) refer to ship-type specific requirements under national legislation; (iv) clearly indicate any exemption granted by the Ministry of Shipping as provided in Chapter 3; and
 - (b) Part II shall be drawn up by the shipowner and shall identify the measures adopted to ensure ongoing compliance with the national requirements between inspections and the measures proposed to ensure that there is continuous improvement. The measures contained in Part II state, in particular, the cases in which ongoing compliance with the requirements of the national legislation for the implementation of this Convention is ascertained, the persons who are responsible for such confirmation, the records that are being kept, as well as the procedures followed when compliance is recorded. For the purposes of Part II, references to more concise documentation covering policies and procedures that relate to other aspects of the maritime industry, such as documents which are required by the International Safety Management Code (ISM) or information which is required under Regulation 5 of the SOLAS Convention, Chapter XI-1, in respect of the Ship's Continuous Synopsis Record (CSR), are accepted. The competent authority or the recognized organization which is duly authorized for this

purpose certified Part II and issues the declaration of maritime labor compliance.

11. The results of all subsequent inspections or other verifications carried out with respect to the ship concerned and any significant deficiencies found during any such verification shall be recorded, together with the date when the deficiencies were found to have been remedied. This record, accompanied by an English-language translation where it is not in English, shall be inscribed upon or appended to the declaration of maritime labor compliance or made available in some other way, care of the Master, to seafarers, flag State inspectors, authorized officers in port States and shipowners' and seafarers' representatives.
12. A current valid maritime labor certificate and declaration of maritime labor compliance, accompanied by an English-language translation where it is not in English, shall be carried on the ship and a copy shall be posted in a conspicuous place on board where it is available to the seafarers. A copy shall be made available upon request to seafarers, flag State inspectors, authorized officers in port States, and shipowners' and seafarers' representatives. For ships not engaged on domestic voyages, Part II of the declaration of maritime labor compliance may be provided in English only.
13. The requirement for an English-language translation in paragraphs 11 and 12 of this Article does not apply in the case of a ship engaged on domestic voyages.
14. A certificate issued under paragraph 1 or 5 of this Article shall cease to be valid in any of the following cases:
 - (a) if the relevant inspections are not completed within the periods specified under paragraph 2 hereof;
 - (b) if the certificate is not endorsed in accordance with paragraph 2 hereof;
 - (c) when a ship changes flag;
 - (d) when a shipowner ceases to assume the responsibility for the operation of a ship; and
 - (e) when substantial changes have been made to the structure or equipment covered in Chapter 3. When a ship changes flag, as referred to in subparagraph (c) hereof, and the Member State concerned has ratified the Convention, the competent authority or recognized organization which has issued the certificate, upon request of the competent authority of the other Member State, shall forward in an expeditious manner copies of the Maritime Labor Certificate 2006, and of the Declaration of Maritime Labor Compliance issued to the ship prior to the change of flag, as well as

copies of the related inspection reports, within three months as of the change of flag.

15. In the case referred to in paragraph 14(c), (d) or (e) of this Article, a new certificate shall only be issued when the competent authority or recognized organization issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of this Article.
16. A maritime labor certificate shall be withdrawn by the competent authority or the recognized organization duly authorized for this purpose by the flag State, if there is evidence that the ship concerned does not comply with the requirements of this Convention and any required corrective action has not been taken.
17. When considering whether a maritime labor certificate should be withdrawn in accordance with paragraph 16 of this Article, the competent authority or the recognized organization shall take into account the seriousness or the frequency of the deficiencies.

Article 33

Handling complaints on board

1. Shipowners shall ensure that appropriate on-board complaint procedures are in place seeking to resolve in a fair, effective and expeditious manner and at the lowest level possible, seafarers' complaints relating to matters that constitute a breach of the requirements of the Convention, including seafarers' rights. However, such procedures shall not limit seafarers' right to complain directly to the Master and, where they consider it necessary, to any competent external authorities. In such a case, the ship's Master or the competent authorities may request that the complaint handling procedure be carried out on board.
2. No seafarer shall be subject to sanctions or any other form of penalty or unfavorable treatment for lodging a complaint, unless it is established that the complaint has been lodged with the aim to cause detriment or mischief.
3. The application of this Article shall not affect seafarers' right to seek restitution by instituting legal proceedings that they deem appropriate.
4. The shipowner or ship's Master shall furnish all seafarers with a copy detailing on-board complaint filing procedures; the latter shall also include information about contacting the Seafarers' Training Directorate of the Ministry of Shipping, and where a seafarer's country of residence is other than Greece, the contact data of that country's competent authority, the name of a person or persons on board the ship who can, on a confidential basis, provide seafarers with impartial

advice on their complaint and otherwise assist them in following the complaint procedures available to them on board the ship.

5. The procedures referred to in paragraph 1 hereof shall contain *ad minimum* the following:
 - a) Complaints lodged by ratings and officers shall be addressed to the Head of the department of the seafarer, while the Head of department shall report directly to the Master.
 - b) The Head of department, by taking account of the complaint itself along with any other explanations provided, or by collecting any other evidence deemed necessary, shall attempt to resolve the matter within 24 hours; in the event of conditions that affect the ship's operation and do not allow for immediate resolution, and/or in the event of an emergency, the Head of department shall ensure that the complaint is resolved as soon as the conditions allow for it.
 - c) In the event that the Head of department cannot resolve the complaint to their satisfaction, they may refer the issue to the Master in order to handle it personally.
 - d) Crew members may file a complaint directly with the Master at a time of day specified by the Master himself or at any time in the event of an extreme emergency.
 - e) When filing a complaint, seafarers are entitled to be accompanied by another seafarer of their choice on board the ship concerned.
 - f) All complaints and the decisions on them shall be recorded in a special file that shall be kept on board for a time-period of one year *ad minimum*. A relevant copy shall be provided to the seafarer concerned if so requested by the latter.

In the event that a complaint cannot be resolved on board, the matter shall be referred, care of the ship's Master, to the shipowner who within a time-limit not exceeding fifteen days shall see to the resolution of the matter, and where appropriate, in consultation with the seafarer concerned or any person that the latter may appoint as their representative.

6. The person in charge of handling the complaint that has been filed may nominate another person on board who can advise the complainant seafarer on the procedures available to them.

Article II

Implementation – Entry into force

1. The provisions of the Regulation being approved under this decision:

- (a) with the exception of those specifically laid down in Chapter C' of the said Regulation, shall take effect on January 4, 2014 without, however, affecting the application of the legislation which is applicable until the aforesaid date regulating similar matters, and without limiting their applicability following the publication of this Decision, in respect of ships engaged on international voyages or voyages between foreign ports. More specifically, paragraph 1 of Article 6 of the Regulation shall take effect as of the date of this Decision's publication and shall apply to seafarers within the meaning of Article 1 of the Code of Private Maritime Law ratified by virtue of L. 3816/1958 (A' 32);
- (b) as of the date of their implementation, according to the foregoing, shall amend the provisions of the applicable legislation regulating similar matters in respect of ships and seafarers falling within their scope of application in accordance with Article 1 of the Regulation, without affecting the provisions ensuring more favorable conditions for seafarers;
- (c) shall not affect the applicability of the legislation in force in respect of ships and seafarers not falling within their scope of application in accordance with Article 1 of the Regulation.
2. The competent authorities in charge of monitoring the implementation of the provisions laid down in the Regulation being approved under this Decision, and of the sanctions imposed against any party in violation thereof are specified in Articles 4 and 5 respectively of L. 4078/2012.

This Decision shall be published in the Official Government Gazette.
Piraeus, June 28, 2013

THE MINISTER OF HEALTH
Spyridon-Adonis GEORGIADIS

THE MINISTER OF SHIPPING AND THE AEGEAN
Miltiadis VARVITSIOTIS