

Seafarer's Hours of work or rest - MLC 2006 Regulation 2.3

1. Hours of work and hours of rest.

1.1 The Administration has provided for the minimum hours of rest of not less than 10 hours in any 24-hour period; and 77 hours in any seven-day period, however with proper notice to the Administration, ship-owners may choose to apply the maximum hours of work of not more than 14 hours in any 24-hour period; and 72 hours in any seven-day period, but shall not implement both on the same vessel.

1.2 The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length, and the interval between consecutive periods of rest shall not exceed 14 hours.

1.3 This period of 24 hours shall begin at the time a seafarer starts work immediately after having any period of one hour and over off duty.

1.4 The ship-owner shall ensure that musters, fire-fighting; lifeboat; security and oil-spill drills, safety & security exercises are conducted in such a manner so as to minimise the disturbance of rest periods and not to induce fatigue.

1.5 The ship-owner shall ensure that adequate compensatory rest period is provided if the normal period of rest is disturbed for call-outs to work, such as when a machinery space is unattended, during the normal hours of rest. Any compensatory rest provided shall be consistent with minimum rest hour requirements in any 24-hour period.

1.6 The ship-owner shall post in an accessible place in the standardized format established by the Administration or in the ILO/IMO model format, a table of shipboard working arrangements containing the following information for every position on board the ship provided in English and the working language of the ship

- (a) position of the seafarer;
- (b) the schedule of service at sea and service in port; and
- (c) the minimum hours of rest or the maximum hours of work, as applicable.

Other forms of the tables of shipboard working arrangements may be accepted, provide the required information is included.

1.7 The ship-owner shall ensure that records of daily hours of work or daily hours of rest are maintained in a standardised format as established by the Administration or in the ILO/IMO model format, in English and in the working language of the ship, to allow monitoring of compliance with the requirements in 1.1 to 1.7 inclusive. Other forms of record keeping may be accepted provided the required information is included.

1.8 The shipowner shall ensure that seafarers receive a copy of their records as referred to in 1.7 above, endorsed by the Master, or a person authorized by the Master, and by the seafarer.

1.9 Formats of the table of shipboard working arrangements and record of work or rest periods are appended to this annex.

1.10 Any applicable collective agreement may permit an exception to the 77- hour rest in any 7-day period specified in para 1.1 above provided :

- a) that the working pattern does not compromise the safety and security of the ship and the protection of the marine environment;
- b) that the rest period is not less than 70 hours in any 7-day period;
- c) such an exception from the weekly rest period shall not be allowed for more than two consecutive weeks.
- d) the intervals between two periods of exceptions on board shall not be less than twice the duration of the exception.

1.11 Any applicable collective agreement may permit an exception to the two rest periods in any 24-hour period specified in para 1.2 above provided:

- a) that the hours of rest in any 24-hour period may be divided into no more than three periods, one of which shall be at least six hours in length and neither of the other two periods shall be less than one hour in length;
- b) exceptions to the two rest periods in any 24-hour period shall not extend beyond two 24-hour periods in any 7-day period and the intervals between consecutive periods of rest shall not exceed 14 hours.

1.12 Collective agreements permitting such exceptions as in 1.10 and/or 1.11 above may take account of more frequent or longer leave periods or the granting of compensatory leave for watch keeping seafarers or seafarers working on board ships on short voyages.

1.13 Shipowners desiring to implement such exceptions shall record this in the DMLC-II under 'Hours of work or rest.

1.14 The master has the right to suspend the schedule of rest and 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. 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.

1.15. The ship-owner shall ensure that if there is a deviation from the schedule of service at sea and service in port, an explanation for this deviation should be recorded. Deviation from the schedule is not an infringement, provided the minimum hours of rest are being adhered to.

1.16 The ship-owner shall ensure that there are procedures for on-board monitoring of the rest periods of the seafarers.

Note : A sample format of sea farers shipboard working arrangement & rest hours are appended to this Annex