



Maritime and Coastguard Agency

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## Hours of Work, Safe Manning and Watchkeeping Revised Provisions from 7 September 2002

Application of the Merchant Shipping (Hours of Work) Regulations 2002 and STCW 95

Notice to Shipowners, Companies, Managers, Masters, Deck and Engineering Officers and all seafarers on Merchant Ships

*With effect from 7 September 2002, this Notice supersedes Merchant Shipping Notice MSN 1682(M) and should be read in conjunction with Merchant Shipping Notice MSN 1758(M), and Marine Guidance Notes MGN 50(M), MGN 137(M+F), and MGN 179 (M) (or subsequent amendments)*

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### *Summary*

This Merchant Shipping Notice contains the detailed mandatory requirements specified by the Secretary of State under the Merchant Shipping (Hours of Work) Regulations 2002 which come into force on 7 September 2002, and Regulations 1-5 and 11-18 of the existing Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Regulations 1997<sup>1</sup>. It gives guidance on the application of the Regulations.

The guidance is in 3 Sections with Annexes:

- Section 1 - Hours of Work**
- Section 2 - Safe Manning**
- Section 3 - Watchkeeping**

### *Key Points*

**Section 1** - The requirements of the new 2002 Regulations:

- apply to all seafarers (including masters) employed or engaged in any capacity on board a seagoing ship other than fishing vessels, pleasure vessels, offshore installations whilst on their working stations and tugs which do not ordinarily go beyond the limits of categorised waters
- provide for a minimum of 10 hours rest in any 24 hour period and 77 hours in any 7-day period and 4 weeks annual paid leave
- require records of hours of rest to be maintained (suggested pro-formas at Annexes A and B)
- provide for inspection and enforcement by the MCA

**Sections 2 and 3** of this Notice, which supersedes MSN 1682(M), have been reissued to incorporate editorial amendments, to clarify the manning guidance tables (at Annexes C and D) and to incorporate International Maritime Organization Resolution A21/Res 890 on the Principles of Safe Manning.

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<sup>1</sup> SI 1997/1320, as amended by SIs 1997/1911 and 2000/484

## SECTION 1 - HOURS OF WORK

### 1.0 Introduction

- 1.1 The Merchant Shipping (Hours of Work) Regulations 2002, (referred to in Section 1 of this Notice as “the Regulations”) which come into force on 1 September 2002, revoke Regulations 6 to 10 of the Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Regulations 1997, as amended, and replace them with provisions on hours of work and annual leave which implement the Annex (the Social Partners’ Agreement) to Council Directive 1999/63/EC of 21 June 1999 (the Maritime Working Time Directive). The requirements of clause 13 of the Annex, relating to medical certification, are implemented separately in the new Merchant Shipping (Medical Examination) Regulations 2002.
- 1.2 The Regulations also implement Council Directive 1999/95/EC concerning inspection and enforcement and provide for penalties in the event of non-compliance.
- 1.3 Regulations 1-5 and 11-18 of the 1997 Regulations remain extant and details of requirements are given in Sections 2 and 3 of this Notice.

### 2.0 Application

- 2.1 The requirements of the EU Directive apply to:

seafarers employed or engaged in any capacity on board every seagoing ship, whether publicly or privately owned, which is registered in the territory of any Member State and is ordinarily engaged in commercial maritime operations.

For the purposes of these Regulations, the terms a) “seafarer”, b) “seagoing ship” and c) “commercial maritime operations” are considered below, in paragraphs 2.2-2.4.

- 2.1.1 The requirements of these Regulations do not apply to seafarers employed or engaged on fishing vessels, offshore installations whilst

on their working stations and tugs which do not ordinarily go beyond the limits of categorised waters, as defined in Merchant Shipping Notice MSN 1758 (M).

### 2.2 Seafarer

- 2.2.1 A seafarer is a person employed or engaged in any capacity on board a seagoing ship on the business of the ship. This is taken to mean a person employed either directly by a shipping company or through a manning agency, whose **usual** place of work is on board a seagoing ship, and includes masters, crew members, resident entertainers and franchise employees on passenger ships. Boatmaster’s licence holders operating on seagoing passenger vessels (carrying more than 12 passengers) are also covered.

- 2.2.2 The Regulations will *not* be taken to apply to those whose normal place of work is ashore but who are working on a seagoing ship on a temporary or short term basis eg fitters, guest lecturers and entertainers, research scientists, riding crews, trainees and volunteers on sail training ships who are not carrying out safety-critical roles (see para 2.4.2 below), provided such workers are covered by the requirements of the Working Time Regulations 1998<sup>2</sup>

### 2.3 Seagoing Ship

- 2.3.1 For the purpose of these Regulations a seagoing ship is one which is certificated under Merchant Shipping legislation for navigation at sea.

- 2.3.2 Vessels certificated under MCA Codes of Practice in terms of the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998<sup>3</sup>, are covered by the separate provisions of those Regulations and the Codes to which they refer.

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<sup>2</sup> SI 1998/1833

<sup>3</sup> SI 1998/2771

## 2.4 Commercial Maritime Operations

2.4.1 All vessels engaged in trade, carrying cargo or fare-paying passengers are covered, as are sail training vessels. Government ships such as those operated by the Royal Fleet Auxiliary, which are not ordinarily engaged in commercial maritime operations, are not covered by the Regulations.

### Sail Training Vessels

2.4.2 - For the purposes of the Regulations, "seafarers" on sail training vessels includes all contracted crew (or those listed on the Safe Manning Document, if applicable) and any person in charge of a navigational or engineering watch and/or with a safety-critical role. These seafarers will sign on the crew agreement. Volunteers and trainees who have no safety-critical responsibilities are **not** covered by the Regulations.

2.4.3 The Owner/Operator of a sail training vessel should make a declaration of the minimum manning requirement for contract crew, for approval by the Seafarers' Training and Certification Branch of the MCA (unless the vessel is already covered by a Safe Manning Document).

## 2.5 Definition of Hours of Work

2.5.1 For the purposes of the Regulations, hours of work are when seafarers are required to do work on the business of the ship.

2.5.2 **On-Call Time** - The Regulations provide that a seafarer whose normal period of rest on board ship is disturbed by a call-out, should have adequate compensatory rest. This is intended to cover situations such as when a seafarer, having set the alarms in an unattended machinery space, retires to his bunk but has his rest disturbed by a call-out to work. In such circumstances the seafarer is entitled to compensatory *rest* to make up for the rest time lost because he was called out to work.

## 3.0 General Duties (Regulation 4)

3.1 The Regulations require that any company (defined as the owner or any other person or organisation, such as the manager or bareboat charterer who has assumed responsibility for the ship from the owner), and the master must ensure that seafarers are provided with at least the minimum hours of rest. This will include the managers of franchises, who are responsible for the personnel working for the franchise, and any other employer of a seafarer working on board the vessel.

3.2 It is the responsibility of all seafarers to ensure that they are properly rested when they begin duty on a ship and that they obtain adequate rest when not on duty.

### 4.0 Minimum Hours of Rest (Regulation 5)

4.1 The hours of rest shall be not less than:

- a) 10 hours in any 24-hour period; and
- b) 77 hours in any 7-day period.

*Note: Hours of rest may be divided into no more than 2 periods, one of which should be at least 6 hours long, and the interval in between should not exceed 14 hours.*

4.2 It is expected that employers and employees will reach agreement on the arrangements for conducting emergency drills such as musters, fire-fighting and lifeboat drills, in a way which minimises the disturbance to rest periods and provides compensatory rest for seafarers whose normal rest is disturbed by call-outs for drills.

### Exceptions to the Limits on Hours of Rest (Regulation 6)

4.3 Exceptions to the limits on the hours of rest may be allowed (Regulation 6) provided that they are the result of an agreement between employers and seafarers and have due regard to the general principles of health and safety of workers. Agreements can be made by "collective agreement" (between the employer and an independent trade union) or "workforce agreement" (Schedule 1 to the Regulations). Exceptions 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.

4.4 A workforce agreement is made with elected representatives of the workforce in most cases (see below.) It can apply to the whole workforce or to a group of workers. To be valid, a workforce agreement must :

- be in writing;
- have been circulated in draft to all workers to whom it applies together with guidance to assist their understanding of it;
- be signed before it comes into effect either:
  - by all the representatives of the members of the workforce or group of workers; or,
  - if there are 20 or fewer employed by a company, either by all representatives of a workforce or by a majority of the workforce
  - have effect for a specified period of no more than five years.

4.5 Applications for authorisation of exceptions should be made in writing to any MCA Marine Office (listed at Annex E).

#### 5.0 Posting-up of Table of Duties (Regulation 7)

5.1 Companies should ensure that a table or schedule of duties is produced setting out the hours of work and rest periods. The table should be in the same format as Annex A(i) to this Notice or in a format substantially like it. The table must be in English and in the working language of the ship, if that is not English, and should specify for every position at least:

- the daily schedule of duties at sea and duties in port; and
- the daily minimum hours of rest as required by the Regulations (see para 4.1 above) or any collective or workforce agreements in force.

In devising the schedule, operators should take account of factors such as:

- a) trade and type of operation;
- b) type and size of ship;
- c) construction and technical equipment of the ship;

d) manning levels and changes in crew numbers due to crew changes and sickness;

e) the maximum period of continuous watchkeeping;

f) minimum rest periods;

g) total workload;

h) the seriousness of irregular working hours and their contribution to causing fatigue and the importance of scheduling reasonably stable working hours over a voyage.

5.2 Changes should not be made to the schedule of duties unless they can be justified by substantially altered work patterns made necessary, for example, by a change in trading pattern or other significant factor. Where it is known that a ship engages in an irregular trading pattern or that working hours are unlikely to be uniform, this can be taken into account and recorded in the schedule.

5.3 It is not necessary to draw up a new schedule of duties for each voyage, so long as it is applicable to the voyage in question and the composition of the crew for whom it was originally intended has not changed.

5.4 It is the responsibility of the master or authorised person to post up the table in a prominent and easily accessible place in the ship. Where there is more than one table, the master is responsible for ensuring that all tables are posted in a suitable place.

5.5 When first drawing up a schedule of duties for a ship, companies should seek the views of the master, who should in turn seek the views of the officers, the ship's safety committee, or the seafarers or their representatives or a trade union as appropriate. The final decision on the schedule lies with the operator who will be responsible for ensuring that it is appropriate in relation to the safety of the ship and the performance of duties.

#### 6.0 Exceptions for Emergencies (Regulation 8)

6.1 The Regulations recognise that situations may arise in which a seafarer may be required to work during scheduled hours of rest. These include emergencies which threaten the safety of the ship or the cargo or

put life at risk. In these circumstances, the limits may be exceeded provided compensatory arrangements are made to avoid fatigue.

## **7.0 Records (Regulation 9)**

7.1 The master or authorised person is responsible for ensuring that records of hours of rest are maintained for each seafarer serving on the ship. The records should be completed monthly in arrears and these should be in the format at Annex B to this Notice or an equivalent format showing at least this information. Each record should be endorsed by the master or authorised person and the seafarer. A copy should be given to the seafarer.

7.2 In an emergency or when unforeseen events occur (as described in paragraph 6 above), changes may be unavoidable. In these cases records should reflect all deviations from the schedule.

7.3 All records should be kept for a minimum of one year and should be available for inspection by MCA surveyors at any time. If during the year, a company ceases to operate, the duty to retain the records remains with that company.

7.4 Checking the ship's documentation will be carried out by the MCA as part of the normal routine of vessel inspection and will include a check that the appropriate schedules are posted and records maintained. Following examination, the records will be endorsed as part of the process.

## **8.0 Night Workers (Regulation 10)**

8.1 The definition of "night" relates to a period of 9 consecutive hours including the period between midnight and 5 am. Although the Regulations are expressed in "local" time, it is recognised that "ship's time" may be different when a vessel is at sea.

## **9.0 Young Persons (Regulation 5(5) and Schedule 2, paragraphs 1 and 4)**

9.1 The Regulations prohibit the employment on a ship of any young person under the age of 16 by amending section 55 of the Merchant Shipping Act 1995. This supersedes the provision in section 55 which prohibits the

employment of anyone under school leaving age.

9.2 The requirements of the Regulations do not override any of the provisions relating to young persons in the existing Merchant Shipping health and safety legislation relating to the employment of young persons.

## **10.0 Annual Leave (Regulation 12)**

10.1 For the purposes of these Regulations, a seafarer is entitled in each leave year to a period of leave of at least four weeks, for which he is entitled to be paid at the rate of a week's pay in respect of each week of leave. It is considered that this entitlement to annual leave will be separate from, and in addition to, periods of rest and compensatory leave which seafarers receive as part of their working arrangements. However, it is for employers and seafarers to decide on the details of how this entitlement is to be provided by negotiation and arrangement between themselves.

10.2 Annual leave may be taken in instalments but may not be replaced by a payment in lieu except where the seafarer's employment is terminated.

## **11.0 Enforcement Provisions (Regulations 14-20)**

11.1 Council Directive 1999/95/EC concerning enforcement provisions is also implemented in these Regulations. Compliance with the requirements of Regulations 4, 7 and 9 will be checked as part of the MCA's inspection regime. Inspection may also be triggered by a complaint from a person or body with a legitimate interest in the health and safety of the crew. In such cases the identity of the complainant will remain confidential.

11.2 Inspection will include a check that schedules of duties are posted up and that records of work and rest periods are being maintained. If an inspector has grounds for believing that seafarers may be unduly fatigued he will check in more detail that the hours of rest recorded conform to the standards and that they have actually been observed. If the evidence indicates that manning levels are so low that the schedules cannot be observed, the MCA will require that manning levels are adjusted so that the

vessel can be operated safely within the hours available. Where conditions are clearly hazardous to safety or health, the ship may be detained.

## SECTION 2 - SAFE MANNING

### 12.0 Introduction

12.1 The Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Regulations 1997, place responsibilities on companies owning or operating UK registered seagoing ships and other ships whilst in UK national waters, to ensure that their vessels are manned with personnel of appropriate grades who have been properly trained and certificated. The numbers of certificated officers, and certificated and non-certificated ratings must be sufficient to ensure safe and efficient operation of the ship at all times.

### 13.0 Responsibilities of Owners and Operators : General Principles

13.1 In fulfilling their responsibility to ensure that ships are safely and sufficiently manned, owners and operators should :

- .1 make an assessment of the tasks, duties and responsibilities of the ship's complement required for its safe operation, for the protection of the marine environment and dealing with emergency situations;
- .2 assess the numbers and grades/capacities in the ship's complement required for the safe operation and for the protection of the environment, and for dealing with emergency situations, including the evacuation of passengers where applicable;
- .4 ensure that the manning level is adequate at all times and in all respects, including meeting peak workloads and is in accordance with the principles contained in this MSN;
- .5 in case of changes in trading area(s), operations, construction, machinery, equipment or operation and maintenance

of the ship, which may affect the manning level, review the manning level.

13.2 In conjunction with these factors the owner or operator should: -

- .1 identify all the functions to be undertaken on board during a representative voyage or operational period, including determination of the number of personnel required to undertake the relevant tasks and duties under both peak and routine work load conditions;
- .2 identify those functions that constitute a normal operation and determine the numbers of personnel required to undertake the concurrent tasks and duties safely;
- .3 identify the skills and experience required to perform those functions;
- .4 establish working arrangements to ensure that the master and crew are capable of undertaking concurrent and continuing operations at the appropriate level(s) of responsibility, as specified, with respect to their skills and training; and
- .5 ensure that the working arrangements allow for sufficient rest periods to avoid fatigue and to comply with the Hours of Work Regulations 2002.

13.3 In applying these principles, proper account should be taken of the International Maritime Organization (IMO), International Labour Organization (ILO), International Trade Union (ITU), World Health Organization (WHO) and European Union (EU) instruments with respect to:

- .1 watchkeeping;
- .2 hours of work or rest;
- .3 safety management;
- .4 certification of seafarers;
- .5 training of seafarers;
- .6 occupational health and hygiene;
- .7 crew accommodation.

## 14.0 Establishing Safe Manning Requirements

### 14.1 Specific factors to be taken into account in determining the safe manning level include :

- .1 frequency of port calls, length and nature of the voyage;
- .2 trading area(s), waters and type of operations in which the ship or vessel is involved and any special requirements of the trade or operation;
- .3 number, size (kW) and type of main propulsion units and auxiliaries;
- .4 size, type of ship, and layout;
- .5 construction and equipment of ship;
- .6 cargo to be carried or operational requirements;
- .7 method of maintenance;
- .8 extent to which training activities are conducted on board; and
- .9 how the proposed complement will deal with various emergency situations that may arise;
- .10 navigational duties and responsibilities as required by STCW 95 including the following:
  - .1 plan and conduct safe navigation;
  - .2 maintain a safe navigational watch;
  - .3 manoeuvre and handle the ship in all conditions and during all operations;
  - .4 safely moor and unmoor the ship; and
  - .5 maintain safety whilst in port.
- .11 Cargo handling and stowage:
  - .1 plan and monitor the safe loading, stowage, securing, carriage and unloading of cargo.
- .12 Ship specific operations:
  - .1 the nature and duration of the operation(s) the ship undertakes and local environmental conditions.
- .13 Ship operations and care for persons onboard, and maintaining life-saving, fire-fighting and other safety systems in operational condition:
  - .1 maintain the safety and security of all persons on board and keep life saving, fire fighting and other safety systems in operational condition, including the ability to muster and disembark passengers and non-essential personnel;
  - .2 operate and maintain watertight closing arrangements;
  - .3 perform operations necessary to protect the marine environment;
  - .4 provide medical care on board;
  - .5 undertake administrative tasks required for the safe operation of the ship; and
  - .6 participate in mandatory safety drills and exercises.
- .14 Marine engineering tasks and duties:
  - .1 operate and monitor the ship's main propulsion and auxiliary machinery;
  - .2 maintain a safe engineering watch;
  - .3 manage and perform fuel and ballast operations; and
  - .4 maintain ship's engine equipment, system and services.
- .15 Electrical, electronic and control engineering duties:
  - .1 operate ship's electrical and electronic equipment; and
  - .2 maintain ship's electric and electronic systems.
- .16 Radio communications:
  - .1 transmit and receive information using ship communication equipment;
  - .2 maintain safe radio watch;
  - .3 provide communications in emergencies.
- .17 Maintenance and repair:
  - .1 carry out maintenance and repair work to the ship and its machinery, equipment and systems, as appropriate to the method of maintenance and the repair system used.

14.2 In addition, the level of safe manning should also take into consideration:

- .1 the management of safety functions of a ship underway, not underway or operating in near stationary mode;
- .2 except in ships of limited size, the provision of qualified deck officers to ensure that is not necessary for the master to keep regular watches by adopting a three watch system;
- .3 except in ships of limited propulsion power or operating under provisions for unattended machinery spaces, the provision of qualified engineering officers to ensure that it is not necessary for the chief engineer to keep regular watches by adopting a three watch system;
- .4 the maintenance of applicable occupational health and hygiene standards on board; and
- .5 the provision of proper food and drinking water for all persons on board.

#### **15.0 Guidance on Appropriate Manning Levels**

- 15.1 In determining what constitutes a minimum safe manning level, useful guidance may also be obtained by use of risk and hazard management tools such as formal safety assessment.
- 15.2 The minimum safe manning levels referred to in this Notice are those required for all reasonably foreseeable circumstances and working conditions to permit the safe operation of the ship under normal operational conditions.
- 15.3 The tables at Annexes C and D provide guidance on the numbers of certificated deck and engineer officers appropriate to different sizes of ships, tonnages and trading areas. As the watchkeeping arrangements for the engineering department and the demands placed on personnel vary significantly according to the level of automation, these tables only provide guidance; owners and operators must take all relevant factors into account before finalising their manning proposals.

15.4 The number of ratings required will be determined by the factors summarised in paragraphs 13 and 14 above.

#### **16.0 Nationality Restrictions**

16.1 The Merchant Shipping (Officer Nationality) Regulations 1995<sup>4</sup> do not permit foreign nationals (other than Commonwealth citizens, EEA nationals, or a national of a State other than an EEA State which is a member of the North Atlantic Treaty Organization) to serve as master of a strategic ship. This is defined as a UK ship of 500 gt or more which is a cruise ship, a product tanker or a ro-ro ship. There are no other nationality restrictions applying to the manning of UK registered ships.

#### **17.0 Consultation on Safe Manning Levels**

- 17.1 Owners and operators should consult with the master, seafarers' representatives and the MCA (where appropriate) on their proposed manning levels. Once agreed, a record of the consultation process should be retained by the owner or operator, together with a record of the agreed manning level.
- 17.2 If agreement cannot be reached between the owners or operator and master, and seafarers or seafarers' representatives regarding manning levels, the MCA will consider the views put forward and, if appropriate, require the manning levels to be revised. When disagreement occurs, it may be necessary to arrange a practical demonstration of the crew's ability to carry out the essential tasks in the context of the principles of safe manning.
- 17.3 The manning level need not be reviewed for each voyage or operational cycle provided it is applicable to the voyage or cycle in question and the composition of the crew for whom it was originally intended has not changed.
- 17.4 Changes should not be made to the manning level unless they can be justified by substantially altered work patterns made necessary, for example, by a change in trading pattern, operation or other significant factor. Where a vessel is known to

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<sup>4</sup> SI 1995/1427

engage in an irregular trading pattern or have working hours that are unlikely to be uniform, this should be taken into account when considering the manning level.

- 17.5 Once agreed, the owner or operator should ensure the safe manning level is maintained and that ship operations are in compliance with the Merchant Shipping (Hours of Work) Regulations 2002.

### **18.0 Safe Manning Document**

- 18.1 The Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Regulations 1997 require owners or operators of all UK seagoing vessels of 500 gt or more to obtain and carry a Safe Manning Document specifying the minimum manning levels. Owners and operators of ships below 500gt may also choose to hold a Safe Manning Document.

### **19.0 Application for a Safe Manning Document**

- 19.1 Any application for a Safe Manning Document should be made by the owner, or a person authorised to act on their behalf, on form MSF 4227 (or subsequent amended form), which can be obtained from any MCA Marine Office or the Seafarers' Training and Certification Branch. All applications, together with the appropriate fee, should be sent to the Seafarers' Training and Certification Branch at the address on the form.

- 19.2 When applying to the MCA for a Safe Manning Document, owners or operators should submit a clear and concise explanation of: -

- 1 how the proposed manning level has been determined;
- 2 how it takes account of the guidance of this Notice; and
- 3 how it takes account of the hours of work provisions in the Regulations.

### **20.0 Approval of a Safe Manning Document by the MCA**

- 20.1 A proposal will only be approved and a Safe Manning Document issued provided the manning level fully satisfies the principles, recommendations and guidelines outlined in this Notice. The MCA may require an owner or operator to amend a proposal if, after evaluation, the proposal is considered inadequate.

- 20.2 When the MCA has agreed a proposal regarding manning of a particular ship, a Safe Manning Document will be issued for that ship in a format which complies with the requirements of SOLAS, as amended. It should be retained on board and be available for inspection by an authorised person, whenever required.

- 20.3 In the event of any change in equipment, construction or use of the ship, which may affect the safe manning level, the owner or operator should make an application for the issue of a new Safe Manning Document.

- 20.4 A Safe Manning Document of a ship may be withdrawn if an owner or operator fails to submit a new proposal where a ship changes trading area(s), construction, machinery or equipment, or operation and/or method of maintenance have changed, or a ship persistently fails to comply with the rest hours requirements.

## **SECTION 3 - WATCHKEEPING**

### **21.0 General**

- 21.1 The principles applying to the keeping of a safe watch are given in Chapter A-VIII of the STCW Code<sup>5</sup> and must be followed in order to comply with the Regulations.

- 21.2 The Regulations require the master of any ship to be responsible for the overall safety of the ship. He must also ensure that the watchkeeping arrangements are adequate for maintaining safe navigational watches at

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<sup>5</sup> Available from the Publications Department, International Maritime Organization, 4 Albert Embankment, London SE1 7SR

all times, including the provision of a lookout as required by the International Regulations for the Prevention of Collisions at Sea 1972, as amended. Masters, owners and operators are reminded that the UK does not consider it safe for the officer of the navigational watch to act as sole look-out during periods of darkness or restricted visibility.

21.3 The chief engineer officer of any ship is responsible to the master for ensuring that arrangements are adequate at all times for maintaining a safe engineering watch.

## 22.0 Further Information

22.1 Any queries relating to this Notice should be addressed to the MCA at :

- Seafarer Health and Safety Branch (for enquiries in relation to Section 1 on Hours of Work)

Tel 02380 329216

Fax 02380 329251

Email: seafarer\_H&S@mcga.gov.uk

or

- Seafarers' Training and Certification Branch (for enquiries in relation to Section 2 on Safe Manning and Section 3, on Watchkeeping)

Tel 02380 329231

Fax 02380 329252

Email: exams\_section@mcga.gov.uk

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September 2002

File Reference MC 110/13/6

*Safer Lives, Safer Ships, Cleaner Seas*

*Department for*  
**Transport**

*An executive agency of the  
Department for Transport*

**MODEL FORMAT FOR TABLE OF SHIPBOARD WORKING ARRANGEMENTS (1)**

Name of Ship: \_\_\_\_\_ Flag of Ship: \_\_\_\_\_ IMO number (if any): \_\_\_\_\_

Latest update of table: \_\_\_\_\_ ( ) of ( ) pages.

The maximum hours of work or minimum hours of rest are applicable in accordance with the Merchant Shipping (Hours of Work) Regulations 2002 issued in conformity with ILO's Seafarer's Hours of Work and the Manning of Ships Convention 1996 (No 180) and with any applicable collective agreement registered or authorised in accordance with that Convention and with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended, (STCW 95) (2).

Minimum hours of rest: \_\_\_\_\_

Other requirements: \_\_\_\_\_

Position / rank (3)	Scheduled daily work hours at sea		Scheduled daily work hours in port		Comments	Total daily rest hours	
	Watchkeeping (from-to)	Non-watchkeeping duties (from-to) (4)	Watchkeeping (from-to)	Non-watchkeeping duties (from-to)		At sea	In ports

Signature of master: \_\_\_\_\_

(1) The terms used in this model table are to appear in the working language or languages of the ship and in English.  
 (2) See over-leaf for selected extracts from ILO Convention No 180 and the STCW Convention..  
 (3) For those positions/ranks that are also listed in the ship's safe manning document, the terminology used should be the same as in that document.  
 (4) For watchkeeping personnel, the comment section may be used to indicate the anticipated number of hours to be devoted to unscheduled work and any such hours should be included in the appropriate total daily work hours

## SELECTED TEXTS FROM ILO CONVENTION No 180 AND THE STCW CONVENTION

### ILO Convention No 180

#### Article 5

1. The limits on hours of work or rest shall be as follows: (a) maximum hours of work shall not exceed: (i) 14 hours in any 24-hour period; and (ii) 72 hours in any seven-day period, or (b) minimum hours of rest shall not be less than: (i) 10 hours in any 24-hour period, and (ii) 77 hours in any seven-day period.
2. 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.
6. Nothing in paragraphs 1 and 2 shall prevent the Member from having national laws or regulations or a procedure for the competent authority to authorise or register collective agreements permitting exceptions to the limits set out. Such exceptions shall, as far as possible, follow the standards set out 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.

#### Article 7

1. Nothing in this Convention shall be deemed to impair the right of a master of the ship 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.
3. 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.

### STCW Convention (STCW 95)

#### Section A-VIII/1 of the STCW Code (Mandatory)

1. All persons who are assigned duty as officer in charge of a watch or seafarer on watch shall be provided with a minimum of 10 hours' rest in any 24 hour-period.
2. The hours of rest may be divided into no more than two periods, one of which shall be at least six hours in length.
3. The requirements for rest periods laid down in paragraphs 1 and 2 need not be maintained in the case of an emergency or drill or in other overriding operational conditions.
4. Notwithstanding the provisions of paragraphs 1 and 2, the minimum period of 10 hours may be reduced to not less than 6 consecutive hours provided that any such reduction shall not extend beyond two days and not less than 70 hours of rest are provided each seven-day period.
5. Administrations shall require that watch schedules be posted where they are easily accessible.

#### Section B-VIII/1 of the STCW Code (Guidance)

3. In applying Regulation VIII/1, the following should be taken into account:
  1. provisions made to prevent fatigue should ensure that excessive or unreasonable overall working hours are not undertaken. In particular, the minimum rest periods specified in Section A-VIII/1 should not be interpreted as implying that all other hours may be devoted to watchkeeping or other duties;
  2. that the frequency and length of leave periods, and the granting of compensatory leave, are material factors in preventing fatigue from building up over a period of time;
  3. the provision may be varied for ships on short sea voyages, provided special safety arrangements are put in place.

**MODEL FORMAT FOR RECORD OF HOURS OF REST OF SEAFARERS <sup>(1)</sup>**

Name of Ship: \_\_\_\_\_ IMO number (if any): \_\_\_\_\_ Flag of Ship: \_\_\_\_\_

Seafarer (full name): \_\_\_\_\_ Position /rank: \_\_\_\_\_

Month and year: \_\_\_\_\_ Watchkeeper <sup>(2)</sup>:    yes     no

**Record of hours of rest**

Please mark periods of rest, as applicable, with X, or using a continuous line or arrow.

<b>COMPLETE THE TABLE ON THE REVERSE SIDE</b>
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The following national laws, regulations and/or collective agreements governing limitations on minimum rest periods apply to this ship:  
 The Merchant Shipping (Hours of Work ) Regulations 2002, \_\_\_\_\_

I agree that this record is an accurate reflection of the hours of rest of the seafarer concerned.

Name of master or person authorised by master to sign this record: \_\_\_\_\_

Signature of master or authorised person: \_\_\_\_\_ Signature of seafarer: \_\_\_\_\_

A copy of this record is to be given to the seafarer.

This form is subject to examination and endorsement  
 under procedures established by the  
 UK Maritime and Coastguard Agency

<sup>(1)</sup> The terms used in this model table are to appear in the working language or languages of the ship and in English.

<sup>(2)</sup> Tick as appropriate.



## GUIDANCE ON APPROPRIATE MANNING LEVELS - DECK OFFICERS

Trading Area	Size of Ship (gt)	Number of Officers to be carried - STCW 95 Regulation			
		Reg II/2-Master	Reg II/2-Ch.Mate	Reg II/1-OOW	Reg II/3-OOW
Unlimited	3000 or more	1	1	2	–
Unlimited	500 or more but less than 3000	1	1	1	–
Unlimited	less than 500	1	–	2(a)	–
Near-coastal	3000 or more	1	1	1	–
Near-coastal	500 or more but less than 3000	1	1	1(b)	–
Near-coastal	Less than 500	–	–	–	2(c)

**Key:**

- (a) may be 1 if the master keeps watch;
- (b) need not be carried if the master keeps watch;
- (c) one of these II/3 certificates must have an endorsement for the capacity of master.

## GUIDANCE ON APPROPRIATE MANNING LEVELS - ENGINEER OFFICERS

Trading Area	Registered Power (kW)	Engineer Officers Requirements			Total
		Chief Engineer	Second Engineer	Engineer OOW	
Unlimited	3000 or more	C/E III/2 Unlimited	2/E III/2 Unlimited	1 x III/1	3
Unlimited	750 or more but less than 3000	C/E III/3 < 3000 kW	2/E III/3 < 3000 kW	1 x III/1	3
Unlimited	350 or more but less than 750	2/E III/3 < 3000 kW	MEOL (a)	-	2
Near-coastal	6000 or more	C/E III/2 Unlimited	2/E III/2 Unlimited	-	2
Near-coastal	3000 or more but less than 6000	C/E III/2 < 6000 kW NC	2/E III/2 < 6000 kW NC	-	2
Near-coastal	750 or more but less than 3000	C/E III/3 < 3000 kW NC	2/E III/3 < 3000 kW NC	-	2
Near-coastal	350 or more but less than 750	SMEOL	-	-	1

The above table assumes that the ship is classed as U.M.S.

< = less than      NC = Near-coastal

**Key:** (a) The holder may serve in a dual capacity, deck and engine room, provided the ship is not a tanker and the deck service is not as an essential watch-keeper or master

**Notes:** (i) All engine room watch ratings must hold watch rating certificates (STCW III/4 certification) issued by MCA-approved companies, except on vessels of less than 750kW.  
(ii) The manning levels are subject to meeting the requirements of Section 1 of this MSN.

**The following factors will be considered in varying the requirements given in the above table.**

Restriction of the vessel's area of operation.

The trading pattern of the vessel.

The complexity of the machinery spaces.

The vessel not operating under U.M.S. conditions.

Technical complexity of the machinery including its control and monitoring systems.

Redundancy of the essential machinery.

The maintenance regime employed in the upkeep of the machinery and its control systems.

The level and availability of technical shore support.

**MCA Marine Offices**

- |     |   |  |
|-----|---|--|
| 1.  | <b>Aberdeen</b> Marine Office<br>Blaikies Quay<br>Aberdeen AB11 5EZ   | Tel: 01224 597900<br>Fax: 01224 571 920  |
| 2.  | <b>Belfast</b> Marine Office<br>Bregenz House<br>Quay Street<br>Bangor<br>Northern Ireland BT20 5ED           | Tel: 02891 475310<br>Fax: 02891 475321   |
| 3.  | <b>Cardiff</b> Marine Office<br>Oxford House<br>Hills Street<br>Cardiff CF1 2TD                               | Tel: 02920 229 556<br>Fax: 02920 229 017 |
| 4.  | <b>Dover</b> Marine Office<br>Langdon Battery<br>Swingate<br>Dover CT15 5NA                                   | Tel:01304 227710                         |
| 5.  | <b>Falmouth</b> Marine Office<br>Pendennis Point<br>Castle Drive<br>Falmouth<br>Cornwall TR11 4WZ             | Tel: 01326 310811                        |
| 6.  | <b>Glasgow</b> Marine Office<br>Navy Buildings<br>Eldon Street<br>Glasgow PA16 7QY                            | Tel: 01475 5533550                       |
| 7.  | <b>Great Yarmouth</b> Marine Office<br>4 <sup>th</sup> Floor<br>Havenbridge House<br>Great Yarmouth NR 30 1HZ | Tel: 01493 744300<br>Fax: 01493 744329   |
| 8.  | <b>Harwich</b> Marine Office<br>East Terrace<br>Walton-on-Naze<br>Essex CO14 8PY                              | Tel: 01255 682107                        |
| 9.  | <b>Hull(Beverley)</b> Marine Office<br>Crosskill House<br>Mill Lane, Beverley<br>North Humberside HU17 9JB    | Tel: 01482 866 606<br>Fax: 01482 869 989 |
| 10. | <b>Leith</b> Marine Office<br>1, John's Place<br>Leith<br>Edinburgh EH6 7EL                                   | Tel: 0131 554 5488<br>Fax: 0131 554 7689 |

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|--|--|
| 11. <b>Liverpool</b> Marine Office<br>Hall Road West<br>Crosby<br>Liverpool L23 8SY  | Tel: 0151 931 6600<br>Fax: 0151 931 6615 |
| 12. <b>London</b> Marine Office<br>Central Court,<br>1B Knoll Rise, Orpington<br>Kent BR6 0JA  | Tel: 01689 890 400<br>Fax: 01689 890 446 |
| 13. <b>Milford Haven</b> Marine Office<br>Gorsewood Drive, Hakin<br>Milford Haven<br>Pembrokeshire SA73 3HB  | Tel: 01646 693272                        |
| 14. <b>Newcastle</b> Marine Office<br>MCA Tyne<br>Compass House<br>Unit 1, Tyne Dock<br>South Shields, Tyne and Wear NE34 9PY                                  | Tel: 0191 496 9900<br>Fax: 0191 496 9901 |
| 15. <b>Plymouth</b> Marine Office<br>Fish Market<br>Baylys Wharf, Fish Quay<br>Plymouth PL4 OLH  | Tel: 01752 266 211<br>Fax: 01752 225 826 |
| 16. <b>Shetland</b> Marine Office<br>The Knab, Knab Road<br>Lerwick<br>Shetland ZE1 0AX  | Tel: 01595 743514                        |
| 17. <b>Southampton</b> Marine Office<br>Spring Place<br>105 Commercial Road<br>Southampton SO15 1EG  | Tel: 023 80329329<br>Fax: 023 80329351   |
| 18. <b>Stockton On Tees</b> Marine Office<br>3 <sup>rd</sup> Floor, Victoria House<br>Pearson Court, Pearson Way<br>Teesdale Park<br>Stockton On Tees TS17 6PT | Tel: 01642 611040                        |



