Certificate Number: XX-XXXX
IMO Number: XXXXXXXX

REPUBLIC OF VANUATU

OFFICE OF THE DEPUTY COMMISSIONER

Maritime Labour Convention, 2006
Declaration of Maritime Labour Compliance – Part I

(NOTE: This Declaration must be attached to the ship's Maritime Labour Certificate)

Issued under the authority of
the Government of the Republic of Vanuatu

With respect to the provisions of the Maritime Labour Convention, 2006 ("MLC, 2006" or also referred to below as "the Convention"), the following referenced ship has complied:

Name of Ship	Official Number	Gross tonnage

and is maintained in accordance with Standard A 5.1.3 of the Convention.

The undersigned declares, on behalf of the abovementioned competent authority, that:

(a) The provisions of the MLC, 2006 are embodied in the national requirements referred to below;

(b) These national requirements are contained in the national provisions referenced below; explanations concerning the content of those provisions where they differ from the MLC, 2006 are provided where necessary;

(c) The details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided in the section provided for this purpose below;

(d) Any exemptions granted by the competent authority in accordance with Title 3 are clearly indicated in the section provided for this purpose below; and

(e) Any ship-type specific requirements under national legislation are referenced under the requirements concerned.

1. Minimum age (Regulation 1.1)

The minimum age for seafarers working on board vessels entered into the international registry for the Republic of Vanuatu is 18 years of age except for a person enrolled in an approved training program. No person under the age of 16 will be allowed to be signed on as a seafarer in any capacity.

2. Medical certification (Regulation 1.2)

a) Maritime Act CAP 131, Maritime Regulation 54(2) except that the validity of the medical certifications is 2 years and

b) For persons and under 18 years of age, one year.

c) Maritime Act CAP 131 Maritime regulation 54(4-6) inclusive.

3. Qualification of seafarers (Regulation 1.3)

a) Maritime Act CAP 131, Paragraph 102 (Officers' Licenses)

b) Maritime Act CAP 131, Regulation 81 (Familiarsation)

4. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)

a) Maritime Act CAP 131, Regulation 56 (Obligations of owners, Masters and Other Persons)

b) For the purpose of assessing compliance, in-house auditors are satisfactory, if first approved by Flag.

5. Seafarers' employment agreements (Regulation 2.1)

a) Definition of Seafarer for Vanuatu Vessels is as follows:
"An individual engaged or employed in a capacity onboard a vessel."

b) Exceptions to the above are as follows and not limited to:

1. **Scientific personnel**
2. **Instructors**
3. **Cadet**
4. **Industrial Personnel**
5. **Charterer's Personnel**
6. **ROV personnel**
7. **Catering Personnel Serving Project Personnel**
8. **Operation and/or Installation Manager**
9. **Health Care providers taking care of Project Personnel**
10. **Technical Maintenance of Project Equipment**
11. **Project Security Personnel**
12. **DP Personnel**
13. **Laboratory Personnel**

14. Researchers
15. Film Personnel
16. Entertainers
17. Shores side Technicians
18. Pilots (docking, channel or seaway)
19. Ship's Agents and or Chandlers
20. Air crews
21. Divers and support personnel
22. All Personnel not required to hold a STCW certificate working on board the vessel.

(Note: Vanuatu will apply Resolution VII as adopted by the IMO in determining the status of an individual aboard a vessel.)

c) Maritime Act CAP 131, Paragraph 109 (Shipping Articles Required) in its entirety except for the reference to a vessel of 75 net tons or more.
d) Maritime Act CAP 131, Paragraph 110 (Exemptions)
e) Maritime Act CAP 131, Paragraph 111 (Penalty)
f) Maritime Act CAP 131, Paragraph 113 (Duration of Shipping Articles)
g) Maritime Act CAP 131, Paragraph 114 (Termination of Shipping Articles)
h) Maritime Act, CAP 131 Paragraph 145 (Bargaining and Execution of Labour Contract)
i) Maritime Act, CAP 131 Paragraph 146 (Provisions Authorized in Labour Contracts)
j) Maritime Act, CAP 131 Paragraph 147 (Provisions prohibited in Labour Contracts)
k) Maritime Act, CAP 131 Paragraph 148 (Protection of Labour Contract)
l) Maritime Act, CAP 131 Paragraph 149 (Strikes, picketing and like interference)
m) Maritime Act, CAP 131Paragraph 150 (Conciliation, mediation and arbitration of Labour disputes differences or grievances)
n) Maritime Act, CAP 131 Regulation 66 (Shipping Articles)

(Note: Where the employment contract is required to be aboard for inspection a copy will suffice. The copy with all the personal information must be placed in a seal envelope with the crewmember's name written on the outside of the envelope and submitted to the assigned ship's officer on board whose duty is to maintain such information. If an inspection is requested by a proper authority, the envelope such only be opened in the view of the seafarer, the assigned ship's officer and the authority requesting the inspection.)

(Note: In the event that the Employee is covered by a collective bargaining agreement ("CBA") with Company, then this Agreement and such CBA shall supplement each other; provided, however, that in case of inconsistency or conflict between this Agreement and the CBA, the latter shall prevail, except to the extent that this Agreement is more favorable to the Employee.)

6. Wages (Regulation 2.2)

a) Maritime Act CAP 131 Paragraph 118 (Payment of Wages)
b) Maritime Act CAP 131, Paragraph 119 (wages for unjustifiable discharge)
c) Maritime Act CAP 131, Paragraph 120 (Stowaway entitled to wages, if there is an agreement)

d) Maritime Act CAP 131, Paragraph 121 (Grounds for Discharge)
e) Maritime Act CAP 131, Paragraph 122 (Advances and allotment of wages)
f) Maritime Act CAP 131, Paragraph 123 (Wages and clothing exempt from attachment)
g) Maritime Act CAP 131, Paragraph 125 (Agreements as to loss of lien or right to wages)
h) Maritime Act CAP 131, Paragraph 126 (Wages not dependent on freight earned)

(Note: a consolidated wage as stated in the employment agreement is acceptable to Vanuatu)

7. Hours of Rest (Regulation 2.3)

a) Maritime Act CAP 131, Paragraph 132 (Working hours overtime)
b) Maritime Act CAP 131, Regulation 43 (Rest Periods) except that the rest period must conform to the rest provision stated in the STCW as amended

c) Maritime Act CAP 131, Regulation 82 (Hours of Rest) except that the period of rest must conform to the rest provision stated in in the STCW
d) Maritime Act CAP 131, Regulation 83 (schedule of watch and Rest Periods)
e) Maritime Act CAP 131, Regulation 84 (Obligations of Owners, Masters and other Persons)
f) Terminology used is the same as referred to in the STCW

8. Entitlement to Leave (Regulation 2.4)

a) Maritime Act CAP 131, Paragraph 124 with the exception of subparagraphs 124(a) & (b) and replaced with the language in (b) of this section below.
b) Adopt Standard A2.4 of the Convention and give due consideration to B2.4 of this convention.

9. Repatriation (Regulation 2.5)

a) Maritime Act CAP 131, Paragraph 133 (Repatriation)(The term "Repatriation" includes the concept of patriation to the vessel to join the vessel)
b) Maritime Act CAP 131, Paragraph 134 (Loss of Right of Repatriation)
c) Maritime Act CAP 131, Paragraph 142 (Abandonment of Seamen)

(Note: Proof of the ability of the ship owner's obligation to cover a seafarer's repatriation is satisfied by submitting a certificate of insurance with VMSL)

10. Manning levels for the ship (Regulation 2.7)

a) Maritime Act CAP 131, Paragraph 101 (Full Complement Required)
b) Maritime Act CAP 131, Regulation 39 (Safe Manning Certificates)
c) Maritime Act CAP 131, Regulation 72 Safe Manning
d) Maritime Act CAP 131, Regulation 73 Carriage of Masters and Officers

11. Accommodation Recreation Facilities (Regulation 3.1)
a) New constructed vessels shall comply with the MLC 2006 Title III.
b) Request for exemption to Title III will be reviewed on a case by case basis by the Office

of the Deputy Commissioner's office in New York (VMSL-NY)

c) Existing vessels not built to the in accordance with Title III of this convention shall comply with the Maritime Act CAP 131, Regulation 16(1)(b) (Compliance with International)
Conventions and Agreements:
   i) Convention No. 92
   ii) Convention No. 133

d) Request for exemption to the conventions noted in sub paragraph (c) will be reviewed on a case by case basis by the Safety and Regulatory Compliance Officer in New York (VMSL-NY)

12. Food and catering (Regulation 3.2)

Vanuatu will abide by the International Sanitary Regulations (1951) as amended and A3.2

13. Medical Care on board ship and ashore (Regulation 4.1)

a) Maritime Act CAP 131, Regulation 53 Medical first aid and Medical Care
b) Maritime Act CAP 131, Regulation 63 Medical equipment and log book

14 Shipowner Liability (Regulation 4.2)

a)) Maritime Act CAP 131, Paragraph 127 Wages , maintenance and cure for sick and injured seaman
b) Maritime Act CAP 131, Paragraph 127A Benefits of compensation for loss of life
c) Maritime Act CAP 131, Paragraph 128 Wrongful Death
d) Maritime Act CAP 131, Paragraph 129 Death on Board
e) Maritime Act CAP 131, Paragraph Issuance of Death Certificate

(Note: Proof of the ability of the ship owner's obligation to cover these benefits is satisfied by submitting a certificate of insurance with VMSL)

15. Health and Safety Protection and Accident Prevention (Regulation 4.3)

VMSL incorporates by reference sections of CAP 160 as follows:

a) CAP 160 Paragraph 45 Employers to provide safe working conditions
   (1) Every employer shall take appropriate steps as soon as possible to remedy any working condition which may be dangerous for the health or welfare of any employee
   (2) The Commissioner or Deputy Commissioner may issue a written notice to any employer recording any offenses or dangerous condition discovered and fixing the period within which they shall be eliminated

b) CAP 160 Paragraph 46 Notifications of Accidents
   Every employer shall as soon as possible inform a labour officer, giving all relevant details, of any accident at work or illness arising from work that has occurred

c) CAP 160 Paragraph 47 First-aid and medical treatment (inpart)
   (1) Every employer shall at its own expense provide for their employees with medical aid
   (2) In the event of an injury to, or sickness of, an employee occurring on the vessel, make arrangements as may be practicable to move the injured or sick to the nearest hospital, clinic or similar place.
   (3) Every employer shall have permanently available on the vessel such medicines, dressings and similar articles as are necessary for first-aid

16. On- board Complaint System

a) The ship owner must establish on-board procedures for the fair, effective and expeditious handling of seafarers' complaints alleging breaches of the requirements of the Convention, including seafarers' rights, in accordance with the national requirements and the requirements of the Convention. The ship owner must develop and provide all seafarers, with a copy of the on-board complaint procedures in English, or in the working language of the ship.
In developing such procedures the following shall be taken into account:
(1) Victimization of a seafarer for filing a complaint is prohibited;
(2) Such procedures, shall seek to resolve complaints at the lowest level possible;
(3) Seafarers shall have the right to complain directly to the Master and where they consider it necessary, externally i.e. to the Company, to VMSL, to the authorized RO, and/or port state authorities;
(4) Seafarers filing complaints will not abolish the right to seek redress through other legal means;
(5) Such procedures shall nominate another seafarer to advise or accompany or represent, during the complaint procedure, the complainant seafarer;
(6) All complaints and the decisions on them should be recorded and a copy should be given to the seafarer concerned.

b) The on-board complaint procedures shall contain at least the following:
(1)Contact information for the Company's MLC, 2006 Designated Person (DP) or any other person appointed by the Company;
(2) Contact information at VMSL (MLC, 2006 Contact Point);
(3) Contact information for the Competent Authority in the seafarer's country of residence;
(4) Name of a person or persons on board the ship who can on a confidential basis advise and assist the seafarer to follow the complaint procedures.

c) Complaint Process
(1)The complainant seafarer shall submit in writing his complaint to his superior officer or to the head of the department;
(2) Where a solution cannot be found at this level, the superior officer shall refer the complaint to the head of the department;
(3) The head of the department shall interview the seafarer as soon as it is convenient with a view to solving the complaint within prescribed time limits ;
(4) If the complainant seafarer is not satisfied with the way his complaint has been handled, he may request for an interview with the Master, who shall then handle the case personally;
(5) If no satisfactory result is achieved, the seafarer concerned may appeal to the management of the Company/ MLC, 2006 Designated Person or any other person appointed by the Company;

Patrick Michael Decharles II

Title: Executive Vice President

Signature: _____

Place: New York, New York

Date: _____

(Seal or stamp of the authority, as appropriate)

Substantial Equivalencies

(NOTE: Strike out the statement which is not applicable)

The following substantial equivalencies, and provided under Article VI, paragraphs 3 and 4, of the Convention, except where stated above, are noted (insert description if applicable):

_____

_____

Name: Patrick Michael DeCharles II

Title: Executive Vice President

Signature: _____

Place: New York, New York

Date: _____

(Seal or stamp of the authority, as appropriate)

Exemptions

(NOTE: Strike out the statement which is not applicable)

The following exemptions granted by the competent authority as provided in Title 3 of the Convention are noted:

_____

_____

No exemption has been granted.

Name: Patrick Michael DeCharles II

Title: Executive Vice President

Signature: _____

Place: New York, New York.

Date: _____

(Seal or stamp of the authority, as appropriate)