



**REPUBLIC OF  
THE MARSHALL ISLANDS**

**OFFICE OF THE  
MARITIME ADMINISTRATOR**

**Marine Notice**

**No. 7-038-3**

**Rev. 6/14**

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**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF  
MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS**

**SUBJECT: Minimum Safe Manning Requirements for Fishing Vessels.**

**References:**

- (a) Marine Notice No. 7-038-2, Minimum Safe Manning Requirements for Vessels**
- (b) MI-118, Requirements for Seafarer Certification**
- (c) Nauru Agreement, First Implementation Arrangement, 26 November 2010**

**PURPOSE:**

The purpose of this Marine Notice is to establish Minimum Safe Manning Requirements for commercial fishing vessels registered under the Republic of the Marshall Islands (RMI) flag in accordance with references (a) and (b) above, and the manning requirements of reference (c) above. This Notice supersedes Rev. 6/12 and reflects the updating of reference (b) above from MN-7-047-1 to MI-118, the revised version of which incorporated the information contained in MN-7-047-1.

**APPLICABILITY:**

This Marine Notice applies to all RMI flagged commercial fishing vessels:

- Reference (a) and (b) above – over 500 gross tons
- Reference (c) above, Parties to the Nauru (PNA) – any gross tonnage.

**INTRODUCTION:**

Although presently there are no international conventions governing the safe manning of fishing vessels, the need still exists to ensure that these vessels are operated safely with sufficient crew to avoid collisions at sea, the loss of human life, and harm to the environment.

This Marine Notice sets forth requirements for RMI flagged fishing vessels to help ensure that they are properly operated by a sufficient number of personnel with a degree of competence to ensure the safety of the crew, vessel and the environment.

Although not applicable to fishing vessels, references (a) and (b) contain relevant information that may help ship Owners and Skippers determine training and watchkeeping requirements for their vessels.

Reference (c) relates to a licensing requirement established in support of a new initiative to increase employment of PNA nationals on fishing vessels operating in PNA waters.

## **1.0 General Provisions of the Minimum Safe Manning Certificate**

- 1.1 The Minimum Safe Manning Certificate (See Appendix 1) designates the minimum number of people, and their positions, who must be on board at all times to ensure safe navigation and operation of the vessel.
- 1.2 These individuals are listed on the top portion of the form just under the vessel particular information. The positions indicated must be filled with qualified personnel each time the vessel gets underway.

## **2.0 Route Permitted**

This section of the Minimum Safe Manning Certificate specifies the route on which the vessel may operate. In most cases this will be an unrestricted international voyage, which permits operation in most any location in which the vessel is licensed to operate. On occasion this route may be limited based upon the general characteristics of the vessel or on the owner's desire to operate in a limited area.

## **3.0 Conditions of Licensing and Operation**

The conditions for licensing and operating the vessel under the RMI flag are laid out in this section.

- 3.1 The first item mentioned specifies the responsibilities of the owner to employ the services of a Skipper that is familiar with the operational and stability characteristics of the vessel. This will ensure that the person designated by the owner, as being responsible overall for the safety of the crew and the vessel is a competent individual with an understanding of seamanship and safe navigation practices.
- 3.2 The second requirement charges the Skipper with the responsibility of ensuring that the crew is properly performing their designated duties. Further, it places the obligation upon the Skipper to ensure all equipment, such as lifesaving and fire fighting gear, is in good condition and ready for use.
- 3.3 It shall be a condition of fishing in the waters of the PNA that from 1 January 2012, fishing vessels operating in PNA waters shall be required to have a minimum number of PNA nationals as crew. The minimum number shall be a percentage of the total crew and will be prescribed in a Crewing Programme developed by the PNA. The minimum number shall increase over time in accordance with the Crewing Programme. See section 5.0.
- 3.4 The last requirement listed is intended to ensure that all personnel employed on the vessel are competent to perform those duties for which they are hired. In this regard, the vessel owner or agent shall submit to the RMI Maritime Administrator a summary of their hiring practices and a basic job description for each of the positions specified in the safe manning table.

#### **4.0 Personnel Other Than Those Mentioned on the Minimum Safe Manning Certificate**

The Minimum Safe Manning Certificate does not preclude the Owner, Skipper or Chief Engineer from placing additional personnel on board the vessel. These individuals understand the overall operations being conducted on board the vessel and are ultimately responsible for the safety of the personnel on board. In that regard, they are also tasked with ensuring that sufficient lifesaving appliances are available to accommodate everyone on board.

#### **5.0 PNA Program on Mandatory PNA National Crewing on all Purse Seine Vessels Fishing in PNA Waters**

The key elements for the implementation of the PNA Mandatory Crewing Programme are the following.

##### **5.1 Initial Implementation**

- 5.1.1 As from 1 January 2012, all purse seine vessels licensed in PNA waters are required to have a minimum of at least 10%<sup>1</sup> of PNA nationals as crew when fishing in waters of the PNA. This requirement will be validated off crew manifests on commencement and completion of trips and also through monitoring of crew lists as collected by Observers.
- 5.1.2 Subject to review by the PNA, the requirement will increase to 20% from January 1, 2015.
- 5.1.3 While the parties have adopted a program in support of minimum crew training, it is anticipated that in the initial stages of program implementation, crew will be sourced from the existing pool of certified or experienced PNA crew.
- 5.1.4 Fleet and vessel operators shall be expected to utilise the services of Pacific Island crewing agents in sourcing suitably qualified and experience crew.
- 5.1.5 The PNA will be monitoring the implementation of this Programme in association with immigration and customs officials.

##### **5.2 Crew Training**

- 5.2.1 The PNA have agreed that the mandatory crewing program should be supported by a program of mandatory minimum training and certification for all PNA crew on Purse Seine vessels.
- 5.2.2 The minimum training and certification requirements will not apply to PNA crew with two years of documented employment on purse seine vessels.
- 5.2.3 This minimum standard training will be available through PNA training institutions but may also be adopted by fleets or boat owners who opt to develop a program to train their own crews. The minimum standard training will include the following:

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<sup>1</sup>This means that for example, a vessel with 23 crew must have three (3) Pacific Island crew.

- .1 Pre-sea: STCW compliant training that includes safety, first aid, fire-fighting, emergency response, and survival.
- .2 Basic seamanship: knots, splices, cranes, rigging.
- .3 Tuna purse seine fishing: parts of the vessel/gear, principles of purse seining, role/function of crew, and hazards of purse seining.
- .4 Life on board: Customs, both general and specific to purse seine vessels of Taiwan, Japan, Korea, USA, China, Philippines and others; including use of alcohol, mealtimes/food, chain of command, sleep, social interactions, pay, time off, personal hygiene, hazing, and rights/responsibilities/obligations of crew.
- .5 Language: names of the parts of the vessel and gear, common phrases used aboard purse seine vessels of Taiwan, Japan, Korea, USA, China, Philippines and others.

### **5.3 Managing non-compliance**

- 5.3.1 Vessels which are unable to comply with the minimum levels of PNA crewing must apply to PNA for a Crewing Waiver which will be granted on receipt of a fee of US\$35,500. The cost of the Crewing Waiver will rise at 20% per annum. Vessels which do not comply will also be required to justify their non-compliance and produce a plan under which they will meet the minimum standard.
- 5.3.2 The Crewing Waiver will be administered by the PNA Office in Majuro. Fisheries Administrations reporting non-compliance must advise the PNA Office, and the vessel concerned will be advised in correspondence of the Waiver conditions.

### **5.4 Employment contract arrangements and terms and conditions**

- 5.4.1 Adequate contractual arrangements and employment provisions shall be in place from the onset of the program. Crew contract agreements shall include the following provisions:
  - .1 Contract duration
  - .2 Provision for insurance
  - .3 Crew repatriation terms and conditions
  - .4 Crew remuneration details including:
    - The salary level
    - Any bonus and how calculated
    - Whether salary is inclusive of work for catch offloading
    - Payment arrangements in the event of sickness/injury (both on and off vessel)
    - Severance pay – payments due in situations of non-completion of contract (due to company/vessel, due to crewman, including any compassionate reasons)
    - Any pay withheld until completion of contract – and any conditions placed on release of funds

- Leave pay – if there is such a benefit, and how it is accumulated and paid for
- (for salaries based on tonnage or trip), a definition of a trip, including work expected at the end
- Provisions for remittance of money

.5 Defining contracting parties (companies and/or agents)

.6 Provision of signed contract to each crew

.7 Applicable laws

.8 Dispute resolution

5.4.2 PNA is also concerned to ensure that PNA national crew are fairly treated and live and work in clean and sanitary conditions with suitable levels of sustenance so as to ensure good health and productivity and fair and reasonable conditions of work.

5.4.3 In early program implementation this will be taken as a matter of good faith and the extent to which this matter requires intervention will be considered in the context of program implementation and development review.

5.4.4 PNA will prepare a standard employment contract agreement.

## **5.5 The role of crewing agents**

5.5.1 There are a number of existing and established crew agencies in PNA ports and both vessel operators and agencies are encouraged to be proactive in the utilisation of agency services.

5.5.2 Agencies will be encouraged to establish registers of available crew and to work closely with training institutions in ensuring that there are well trained and qualified personnel available for purse seine employment.

## **5.6 PNA crew aspirations**

Employment in more senior positions on board purse seine vessels requires proven performance and experience and on the job training. The PNA expect advancement for PNA crew over time, and this will be taken into account in future arrangements for the Programme.

## **5.7 Review**

The PNA may review this Programme Document from time to time.

**APPENDIX 1**

**MINIMUM SAFE MANNING CERTIFICATE**

Issued under the provisions of regulation V/14.2 of the  
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, As Amended

Under the authority of the Maritime Administrator of the

**Republic of the Marshall Islands**

FISHING VESSELS

*Particulars of ship*

Name of ship	
Distinctive number or letters	
IMO number	
Port of registry	Jaluit
Gross tonnage: National / Intl Tonnage Convention, 1969	/
Main propulsion (kW)	
Type of ship	Fishing Vessel
Periodically unattended machinery space	
Trading area/restrictions:	

The ship named in this document is considered to be safely manned, if when it proceeds to sea, it carries not less than the number and grades/capacities of personnel specified in the table below.

<i>Grade/capacity</i>	<i>Number of persons</i>
Skipper	1
Mate	1
Deckhand	2
<b>If fitted with GMDSS, 1 Deck Officer must hold a GMDSS General Operator's Certificate..</b>	
Chief Engineer	1
Assistant Engineer	1
Maintenance Personnel	2

*Conditions of Operation:*

*The Skipper must be familiar with the operational and stability characteristics of the vessel.*

*The Skipper is responsible for the operational deployment of the crew and for the efficiency of any equipment necessary to ensure the safety of vessel personnel.*

*All vessel personnel must be qualified to standards acceptable to the Administration.*

**THE GRADES AND NUMBERS OF PERSONNEL LISTED ABOVE REFLECT THE MINIMUM LEVELS OF MANNING NECESSARY FOR THE SAFETY OF NAVIGATION AND OPERATION OF THE VESSELS.**

The Owner, Skipper and Chief Engineer may place additional personnel on board as necessary to handle and control fishing gear, to provide for additional watch keeping, and to ensure proper rest periods for all crewmembers. It is the responsibility of the Owners, Skipper and Chief Engineer to ensure safety equipment is sufficient for all crewmembers on board.

Note: This document is applicable only to Marshall Islands registered fishing vessels.

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Deputy Commissioner of Maritime Affairs  
Republic of the Marshall Islands

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