



INFORMATION SHEET

Application for Registration as a Private Seafarer Recruitment and Placement Service (AMSA 433)

PLEASE READ THESE NOTES CAREFULLY, they are intended to help you provide all the information required.

1. AMSA Approval – Private seafarer recruitment and placement services

1. The following procedure provides detail of the requirements for a private seafarer recruitment and placement service located in Australia whose **primary purpose** is recruiting and placing of seafarers on vessels to register its operations with AMSA.
2. Private seafarer recruitment and placement services must operate in accordance with Standard A1.4 of the MLC, 2006 and, in accordance with the requirements prescribed in *Marine Order 11 – Living and Working Conditions on Vessels, 2015* (MO11).
3. This procedure is not meant to override or limit any responsibility or requirement that such agency or service has under the Provisions of the *Fair Work Act 2009*.
4. Where a private seafarer recruitment and placement service is identified as being subject to the requirements of the MLC, 2006, then that service will need to register with AMSA and be subject to possible audit and inspection to ensure that those services are operated in accordance with the MLC, 2006 and MO11.
5. Private seafarer recruitment and placement services are advised that penalties exist for non-compliance with the provisions of MO11. Owners of regulated Australian vessels are also advised that when visiting foreign ports, Port State Control Officers may conduct inspections to verify the use of properly regulated private seafarer recruitment and placement services where these are used.
6. Any records kept and maintained in accordance with the requirements of MO11 shall be subject to inspection and audit by an approved AMSA Inspector.
7. It will remain the responsibility of the private seafarer recruitment and placement service to identify their service and to register accordingly.

2. Scope

1. This procedure outlines the process for a private seafarer recruitment and placement service to be recognised by AMSA as operating in accordance with the requirements of Standard A1.4 of the MLC, 2006 and MO11. This procedure also ensures that AMSA is compliant with the provisions of Standard A5.3 of the MLC, 2006 in its regulation of private seafarer recruitment and placement services.

3. Key Definition

1. A seafarer recruitment and placement service means a person whose primary purpose is providing the service of recruiting seafarers for vessel owners or placing seafarers with owners.

4. Associated documents

- *Maritime Labour Convention 2006*, as amended (MLC, 2006)
- *Marine Order 11 – Living and Working Conditions on Vessels, 2015*

5. Application for approval

1. A body, person or organisation that is a private seafarer recruitment and placement service must submit to AMSA a full application in writing, in the approved form (AMSA 433), for approval to conduct the business of a private seafarer recruitment and placement service.

2. The conditions for approval are:
 - AMSA will only register private seafarer recruitment and placement services that recruit or place seafarers on board vessels that are registered on the Australian General Shipping Register, Australian International Shipping Register or a foreign flagged vessel that is subject to the requirements of the MLC, 2006.
 - Demonstrated evidence of compliance with the requirements of MO11 through written submissions.
 - A private seafarer recruitment and placement service may be subject to audit and inspection to determine compliance or continued compliance.
3. Applicants will need to submit a short response to each matter addressed within the form AMSA 433 to demonstrate how they intend to maintain compliance with the requirements of the MLC 2006 and MO11.
4. Once completed, this form should be forwarded by email to LabourConventions@amsa.gov.au or by mail addressed to: The Manager, Ship Operations, Australian Maritime Safety Authority, P.O. Box 2181, Canberra, ACT, 2601.
5. The names of successful applicants will be published in the Australian Register of private seafarer recruitment and placement services. This will be evidence that the company has been accepted by AMSA as having met the requirements of the MLC, 2006 Regulation 1.4 and MO11.



Australian Government

Australian Maritime Safety Authority

APPLICATION FOR REGISTRATION AS A PRIVATE SEAFARER RECRUITMENT AND PLACEMENT SERVICE

Marine Order 11 – Living and working conditions on vessels

DETAILS

Name of company or organisation

ABN/ACN

Address

Telephone Number

Fax Number

Email Address

Date of Application

Contact Name

Contact Telephone Number

1. Provide an overview of your organisations operations and the reasons why you seek registration.

Response:

2. Is the primary purpose of your organisation the provision of the service of recruiting seafarers for vessel owners or placing seafarers with owners?

Response:

3. A person intending to obtain employment as a seafarer must not be charged a fee for using those services. However, any person who requires assistance in obtaining documentation necessary to gain employment on a vessel may be charged a reasonable fee, those services are limited to obtaining a:
- certificate of medical fitness
 - seafarers' qualification
 - national seafarers' record book
 - passport
 - travel document (other than a visa)

Response:

4. A private seafarer recruitment and placement service is required to verify qualifications and documentation for each seafarer for whom it provides services, including the:
- seafarer is qualified to carry out the duties for which they are employed
 - seafarer holds all necessary documentation required
 - seafarers' work agreement (or Seafarers' employment agreement) is in accordance with the requirements of the relevant legislation that applies to them

Response:

5. A private seafarer recruitment and placement service must keep the following records for all persons recruited or placed on a vessel:
- The seafarers' qualifications
 - The seafarers' record of employment with that service provider
 - Personal data relevant to that persons employment
 - Medical date relevant to that persons employment

Response:

6. A private seafarer recruitment and placement service is required to keep a personal register of persons recruited or placed on a vessel that includes information about:
- the seafarers' medical examination
 - the seafarers' identity documents
 - any fees that were charged (refer to paragraph 3 above)
 - any other information that was provided by the seafarer in order to gain employment

Response:

7. A private seafarer recruitment and placement service is strictly prohibited from the use of 'black lists'.

Response:

8. When placing a seafarer on board a vessel, the private seafarer recruitment and placement service must, to the extent practicable, ensure that the owner of a vessel is insured to protect seafarers against stranding.

Response:

DECLARATION

Warning: Giving false or misleading information is a serious criminal offence and may lead to prosecution.

To the best of my knowledge, the information given by me in this application is true and correct in every detail

..... / /

Signature of Applicant

PRIVACY STATEMENT

The Australian Maritime Safety Authority (AMSA) is collecting the information on this form to verify the compliance requirements of private seafarer recruitment and placements services in accordance with Regulation 1.4 of the Maritime Labour Convention 2006 and Division 3 of Marine Order 11 – Living and Working Conditions on vessels.

AMSA may give some or all of this information, including information concerning the validity, cancellation or suspension of operations as a private seafarer recruitment and placement service to overseas maritime administrations, vessel owners, operators, agents and other law enforcement entities.