



# 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. Associated documents

- [Maritime Labour Convention 2006, as amended \(MLC, 2006\)](#)
- [Marine Order 11 – Living and Working Conditions on Vessels, 2015](#)
- If you need to contact AMSA about your application, please email [LabourConventions@amsa.gov.au](mailto:LabourConventions@amsa.gov.au)

### 4. Application for approval

1. A private seafarer recruitment and placement service must meet the following conditions for approval:
  - Registration on the Australian General Shipping Register or Australian International Shipping Register; or a foreign flagged vessel that is subject to the requirements of the MLC.
  - Demonstrated evidence of compliance with the requirements of MO11 through written submissions.

2. Applicants will need to submit a short response to each matter addressed within the form to demonstrate how they intend to maintain compliance with the requirements of the MLC and MO11.
3. Once completed, this form must be submitted to Labour Conventions, [AMSA LabourConventions@amsa.gov.au](mailto:AMSA_LabourConventions@amsa.gov.au)
4. The names of successful applicants will be published in the Australian Register of private seafarer recruitment and placement services, which is on the AMSA website. Private seafarer recruitment and placement services ([amsa.gov.au](http://amsa.gov.au)). This will be evidence that the company has been accepted by AMSA as having met the requirements of the MLC Regulation 1.4 and MO11.
5. An approved private seafarer recruitment and placement service may be subject to audits and inspections at any time to determine compliance or continued compliance.



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

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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 seek employment as a seafarer must not be charged a fee for using such services. Notwithstanding, 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)

Do you charge a fee? If so, please provide further information.

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:
- that the seafarer is qualified to carry out the duties for which they are employed
  - that the 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

Please state how your organisation verifies the qualifications and documentation for each seafarer you are providing services to.

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 and identify documents
  - The seafarers' record of employment with that service provider
  - Personal data relevant to that person's employment
  - Medical data relevant to that person's employment including seafarers' medical examination
  - Any other information that was provided by the seafarer to gain employment.

State the method used by your organisation to keep and ensure these records are up to date.

Response:

6. State how your organisation ensures that there is a means by which services can be contacted in an emergency at all hours.

Response:

7. State how your organisation ensure that the owner of a vessel is insured to protect seafarers against stranding, when placing a seafarer on board a vessel.

Response:

8. Please provide information on how your organisation investigates complaints, if any, about its activities and advise AMSA if a complaint is unresolved.

Response:

## DECLARATION

- I confirm that each seafarer can examine the employment agreement before and after it is signed, and will provide the seafarer a copy of the employment agreement
- I understand that a private seafarer recruitment and placement service is strictly prohibited from the use of 'blacklists'
- To the best of my knowledge, the information given by me in this application is true and correct in every detail
- I understand that giving false or misleading information is a serious criminal offence and may lead to prosecution.

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*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 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.