



Marine Notice 14/2017  
Supersedes 9/2012

## Fitness for Duty

### Purpose

The purpose of this marine notice is to draw the attention of vessel owners, operators and seafarers to the need to comply with the fitness for duty requirements, including hours of rest, under the *International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention)* and the *Maritime Labour Convention, 2006 (MLC)*.

The potential for serious threats to health and safety and pollution of the marine environment as a result of fatigue is well known. Hence, the principles of safe manning are intended to ensure that each vessel is adequately manned for all operations, not just the voyage between ports. However, operational pressures and other factors can result in watchkeepers and other personnel gaining insufficient rest. This may result in those seafarers experiencing fatigue and non-compliance with the MLC and STCW Convention.

### Requirements

It is a requirement (under section A-VIII/1 of the STCW Code and standard A.2.3 of the MLC Regulations) that daily records of work or rest schedules are posted in an 'easily accessible' location on the vessel, in the working language or languages of the vessel and in English. These records should reflect 'actual' working arrangements at sea and in port.

The maximum hours of work or minimum hours of rest over given rest periods for seafarers must be established as provided under standard A2.3 of the MLC Regulations and section A-VIII/1 of the STCW Code.

For Australian vessels, Marine Order (MO) 28 (Operations standards and procedures) sets out the minimum hours of rest required for a seafarer:

- 10 hours in any 24-hour period and 77 hours in any 7-day period; where
- the minimum hours of rest may be divided into no more than two periods, of which one must be at least 6 hours, and the interval between consecutive periods of rest must not exceed 14 hours.

Section A-VIII/1 of the STCW Code and standard A2.3 of the MLC Regulations allow some flexibility with respect to hours of rest in cases of emergency or other overriding operational conditions. However, AMSA does not consider that the relaxation provided for extends to the normal operations of the vessel such as; port arrivals, berthing, unberthing and cargo operations. In addition, exceptions outlined in section A-VIII/1 of the STCW Code will not automatically apply.

Owners of Australian vessels may apply to AMSA for approval for an exemption as outlined in MO 28.

## Compliance

In the past, AMSA inspectors have issued deficiencies and detentions due to the identification of issues with work and rest hours requirements. These broadly fall within the following categories:

- hours of rest not being complied with in port resulting in personnel on duty for departures and first sea watches not being adequately rested;
- records of hours of work/rest not being maintained;
- records of hours of work/rest not reflecting actual working arrangements; and
- deficiencies in the Safety Management System of the vessel that hinder compliance.

AMSA will continue its focus on compliance with the work and rest hours requirements, with inspectors checking the records of work and rest, and other onboard documents, to validate those records.

Where inadequate rest arrangements are found to exist on a vessel, AMSA will take necessary action to ensure compliance. To avoid this situation, vessel owners, operators and masters are encouraged to review their onboard arrangements and work practices.

Gary Prosser  
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