



# Maritime Circular No.19

To:

**Ship – Owners / Managers / Operators, Registration Officers (RegOffs), Recognised Organisations (ROs), SLMARAD Departments (All)**

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Subject:

**On board complaint procedure**

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Date:

**11<sup>th</sup> January 2017**

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References:

**Maritime Labour Convention, 2006**

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## **Purpose**

To provide instructions in relation to the requirements of on-board complaint handling procedures in accordance with Regulation 5.1.5 of Maritime Labour Convention, 2006.

## **Application**

1. All Sierra Leonean vessels must have on board a complaint procedure that is fair, effective and expeditious handling of seafarer complaints alleging breaches of the requirements of the MLC, 2006.
2. Shipowners must provide all seafarers with a copy of the on board complaint procedure applicable to the ship along with the Seafarer's Employment Agreement (SEA).
3. The on board complaint procedure must include the following:
  - a. Seafarers must in all cases have a right to complaint directly to the Master and where they consider it necessary, to appropriate external authorities. The resolve of such complaints must be at the lowest level possible.
  - b. Include the right of the seafarer to be accompanied or represented during the complaint, as well as safeguards against the possibility of victimization of seafarers for filing complaints.
  - c. Include contact information of:
    - i. This Administration  
Tel: +44 20 3318 3226  
Email: [complaint@slmarad.com](mailto:complaint@slmarad.com)
    - ii. The competent authority in the seafarer's country of residence
  - d. In order to help avoid problems of victimization of seafarers making complaints about matters under the MLC, 2006, the procedures should encourage the nomination of a person on board who can advise seafarers, on confidential basis, on the procedures

available to them and, if requested by the complainant seafarer, also attend any meetings or hearings into the subject matter of the complaint.

- e. A complaint form must be available on an easily accessible place such as the recreational facilities of both crew and officers and on every deck. The seafarer has the right to complete such a form with the help of the nominated person referred in paragraph 3.d of this Circular stating his/her complaint and provide it to the head of department or superior officer or directly to the Master.
- f. All complaints and the decisions on them shall be recorded and a copy provided to the seafarer concerned.
- g. If a complaint cannot be resolved on board, the matter shall be referred ashore to the shipowner, who shall be given an appropriate time limit for resolving the matter, where appropriate, in consultation with the seafarers concerned or any person they may appoint as their representative.
- h. Any adverse action taken by any person with respect to a seafarer for lodging a complaint, which is not manifestly vexatious or maliciously made, is considered victimization and is prohibited. Any act of victimization will be subject to a penalty as decided by SLMARAD.

4. The above will enter into effect as of 11<sup>th</sup> January 2017.

For additional information please contact SLMARAD at [info@slmarad.com](mailto:info@slmarad.com)

#### Revision Status

Date	Revision	Comments - Changes
11/01/2017	0	Initial - Adopted