

Maritime Labour Convention 2006

Recruitment and Placement of Seafarers – Consultation regarding proposed amendments to the Code of Conduct governing Jersey Employment Agencies

Background

The Maritime Labour Convention (the MLC) will come into effect internationally on 20 August 2013.

The Convention applies certain standards that must be met by seafarer Recruitment and Placement businesses, a number of which operate from Jersey.

Whilst, at this stage, Jersey is not looking to achieve full compliance and ratification of the Convention for Jersey ships, the Recruitment and Placement standards need to apply. This will ensure that Jersey-based businesses can show that their seafarer management is compliant if the relevant ships are inspected in the port of a Convention country. The intention is to prevent possible relocation of the businesses that currently operate in the Island.

The Employment Agencies (Registration) (Jersey) Law 1969 treats companies involved in seafarer recruitment and placement as Employment Agencies. Such companies must register annually with the Social Security Department and must comply with a Code of Conduct.

It is intended that the Employment Agencies legislation will be reviewed and up-dated in the future. However, the proposed amendments have been prioritised at this time to assist compliance with international obligations.

The legislation

Draft amendments have been prepared to the existing Employment Agencies (Registration) (Code of Conduct) (Jersey) Order 1970. It is believed that these meet the Convention standards without being unduly onerous.

For ease of reference, the draft Order presents the amendments in bold type and new headings are in red.

These amendments do not, unless indicated, affect the current standards for agencies which are not involved in seafarer recruitment and placement.

Consultation Response

Comments are invited from those who might be affected by the changes.

Any comments should be delivered by 19 April 2013.

Additionally, you are welcome to ask any questions before commenting formally.

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