

# 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.

### Criteria

To be a private seafarer recruitment and placement service your primary operation must be recruiting and placing seafarers on vessels.

A private seafarer recruitment and placement service must register with AMSA if it:

- operates in Australia, or
- recruits and places seafarers on regulated Australian vessels

### Requirements

Registration is valid for 5 years.

A private seafarer recruitment and placement service must operate in line with:

- [the Maritime Labour Convention \(MLC\), 2006](#)
- [Marine Order 11 \(MO11\)](#)
- any relevant requirements of other agencies, such as the Fair Work Act 2009

AMSA will conduct audits and assessments to verify that you comply with the MLC and MO11. If you do not comply, AMSA can issue penalties.

Note: This registration does not override or limit any responsibility or requirement that such agency or service has under the provisions of the *Fair Work Act 2009*.

### Apply to register

Use this form to apply to register.

You will need to:

1. Respond to all questions.
2. Gather evidence that shows how you will meet the requirements of the MLC and MO11.
3. Send the form and supporting documents to [MLC.Correspondence@amsa.gov.au](mailto:MLC.Correspondence@amsa.gov.au).
4. Pay an application fee of \$272 per hour. This covers the cost of assessing the application.



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*

## Company details

Name of company or organisation

ABN/ACN

Address

Phone number

Email

Application type

Date of application

Expiry date - if a renewal

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## Applicant details

Contact name

Address

Phone number

Email

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## Invoicing details

Name of company or organisation

Purchase order number (if applicable)

## Overview of your organisation's operations

1. Confirm the primary purpose of your operations is to recruit and place seafarers<sup>1</sup> for vessel owners<sup>2</sup>. Please also give an overview of your organisation's operations.

Response

## Fees charged and amount (if relevant)

2. You cannot charge a fee for finding a person employment as a seafarer.

You can charge a reasonable fee for helping a person obtain a:

- certificate of medical fitness
- seafarers' qualification
- national seafarers' record book
- passport
- travel document (other than a visa)

Do you charge any fees for your services? If so, provide further information on the fees charged for each service.

Response

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<sup>1</sup> seafarer means any person who is employed or engaged or works in any capacity on board a ship to which MLC, 2006 applies as defined in Article 2 of the MLC,2006

<sup>2</sup> shipowner means the owner of the ship or another organisation or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organization or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. Note under Marine Order 11, the term vessel owner is used interchangeably.

### Verifying qualifications and documentation

3. A private seafarer recruitment and placement service must verify qualifications and documentation for the seafarers that use its services. This includes:
- ensuring the seafarer is qualified to carry out the duties for which they are employed
  - ensuring the seafarer holds all necessary documentation required
  - ensuring the seafarers' work agreement (or seafarers' employment agreement) is in accordance with the requirements of the relevant legislation that applies to them
  - verifying employment references

Please state how your organisation verifies the qualifications and documentation for each seafarer you are providing services to. Provide copies of documentation demonstrating compliance with this requirement.

Response

### Protections for seafarers

4. A private seafarer recruitment and placement service is required to:
- explain to seafarers their rights and duties under a work agreement
  - provide the work agreement to the seafarer for their examination before it is signed
  - provide a copy of the work agreement to the seafarer after it is signed
  - when placing a seafarer on a vessel, ensure that the owner of the vessel is insured to protect seafarers from being stranded in a foreign port.

Please state how your organisation ensures the above protections are met for each seafarer. Provide copies of documentation demonstrating compliance with this requirement.

Response

## Records maintenance

5. A private seafarer recruitment and placement service must keep the following records for all persons recruited or placed on a vessel:
- record of each vessel for which the service provides the seafarer recruitment and placement service
  - 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 maintain and ensure these records are up to date. Provide copies of documentation demonstrating compliance with this requirement.

Response

## Emergency contact

6. Please state how your organisation ensures that your services can be contacted in an emergency at all hours.

Response

## Insurance information

7. Please state how your organisation ensures there is insurance, or equivalent measure, in place to compensate seafarers for any monetary loss caused by either:

- your service failing to meet a legal obligation to the seafarer
- the vessel owner failing to meet its obligations under a work agreement.

Please also outline how you explain this insurance arrangement to the seafarer.

Provide copies of documentation and relevant insurance policies demonstrating compliance with this requirement.

Response

## Investigating complaints

8. Please provide information about:

- how your organisation investigates complaints about your organisation's activities
- how your organisation advises AMSA if a complaint is unresolved.

Response

## Audit certifications

9. Does your organisation hold an ISO certification or any other relevant audit certification for your services? If so, provide copies of this documentation.

If you have been audited by another third party, provide a copy of the audit report.

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'
- Fees can be charged to the company as specified in the 'Invoicing Details' section
- To the best of my knowledge, the information given by me in this application (and any attachments I have included with 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

Date

Where to lodge: [mlc.correspondence@amsa.gov.au](mailto:mlc.correspondence@amsa.gov.au)

## 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 Marine Order 11 – Living and Working conditions on vessels*.

*Your personal information is being collected to deliver AMSA's functions under the Australian Maritime Safety Authority Act 1990, the Navigation Act 2012 and/or the Marine Safety (Domestic Commercial Vessel) National Law Act 2012. Failure to provide personal information may mean we cannot provide a service to you. More details about how we handle your personal information can be found in AMSA's Privacy Policy (visit [www.amsa.gov.au/privacy](http://www.amsa.gov.au/privacy)).*