

## INTERNATIONAL LABOUR OFFICE

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### REPORT FORM

### FOR THE

### CERTIFICATION OF ABLE SEAMEN CONVENTION, 1946 (No. 74)

The present report form is for the use of countries which have ratified the Convention. It has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads as follows: "Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request."

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### Practical guidance for drawing up reports

#### First reports

If this is your Government's first report following the entry into force of the Convention in your country, full information should be given on each of the provisions of the Convention and on each of the questions set out in the report form.

#### Subsequent reports

In subsequent reports, information need normally be given only:

- (a) on any new legislative or other measures affecting the application of the Convention;
  - (b) in reply to the questions in the report form on the practical application of the Convention (for example, statistics, results of inspections, judicial or administrative decisions) and on the communication of copies of the report to the representative organizations of employers and workers and on any observations received from these organizations;
  - (c) *in reply to comments by supervisory bodies*: the report must contain replies to any comments regarding the application of the Convention in your country which may have been made by the Committee of Experts on the Application of Conventions and Recommendations or by the Conference Committee on the Application of Standards.
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## Article 22 of the Constitution of the ILO

Report for the period ..... to .....  
made by the Government of .....

on the

### CERTIFICATION OF ABLE SEAMEN CONVENTION, 1946 (No. 74)

(ratification registered on .....)

- I. Please give a list of the legislation and administrative regulations, etc., which apply the provisions of the Convention. Where this has not already been done, please forward copies of these texts to the International Labour Office.

Please give any available information concerning the extent to which these laws and regulations have been enacted or modified to permit, or as a result of, ratification.

- II. Please indicate in detail *for each of the following Articles of the Convention* the provisions of the above-mentioned legislation and administrative regulations, etc., or other measures, which give effect to each Article.

If in your country ratification of the Convention gives the force of national law to its terms, please indicate by virtue of what constitutional provisions the ratification has had this effect. Please also specify what action has been taken to make effective those provisions of the Convention which require a national authority to take certain specific steps for its implementation, such as measures to define the exact scope of the Convention and the extent to which advantage may be taken of permissive exceptions provided for in it, measures to draw the attention of the parties concerned to its provisions, and arrangements for adequate inspection and penalties.

If the Committee of Experts or the Conference Committee on the Application of Standards has requested additional information or has made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.

#### *Article 1*

No person shall be engaged on any vessel as an able seaman unless he is a person who by national laws or regulations is deemed to be competent to perform any duty which may be required of a member of the crew serving in the deck department (other than an officer or leading or specialist rating) and unless he holds a certificate of qualification as an able seaman granted in accordance with the provisions of the following Articles.

*Please indicate the provisions of the national laws or regulations which determine when a person is deemed competent to be engaged as an able seaman.*

#### *Article 2*

1. The competent authority shall make arrangements for the holding of examinations for the granting of certificates of qualification.

2. No person shall be granted a certificate of qualification unless—

- (a) he has reached a minimum age to be prescribed by the competent authority;
- (b) he has served at sea in the deck department for a minimum period to be prescribed by the competent authority; and
- (c) he has passed an examination of proficiency to be prescribed by the competent authority.

3. The prescribed minimum age shall not be less than eighteen years.

4. The prescribed minimum period of service at sea shall not be less than thirty-six months: Provided that the competent authority may—

(a) permit persons with a period of actual service at sea of not less than twenty-four months who have successfully passed through a course of training in an approved training school to reckon the time spent in such training, or part thereof, as sea service; and

(b) permit persons trained in approved sea-going training ships who have served eighteen months in such ships to be certificated as able seamen upon leaving in good standing.

5. The prescribed examination shall provide a practical test of the candidate's knowledge of seamanship and of his ability to carry out effectively all the duties that may be required of an able seaman, including those of a lifeboatman; it shall be such as to qualify a successful candidate to hold the special lifeboatman's certificate provided for in Article 22 of the International Convention for the Safety of Life at Sea, 1929, or in the corresponding provision of any subsequent Convention revising or replacing that Convention for the time being in force for the territory concerned.

*Please indicate—*

(a) *the minimum age and minimum periods and nature of the professional experience laid down as conditions to be fulfilled before a certificate of qualification is granted; and*

(b) *to what extent advantage is taken of the provisions of paragraph 4, and the methods of applying them.*

*Please give also a brief outline of the nature of the examinations (including practical tests) to be passed to obtain a certificate as able seaman, and of the methods of organising and supervising the examinations.*

#### *Article 3*

A certificate of qualification may be granted to any person who, at the time of the entry into force of this Convention for the territory concerned, is performing the full duties of an able seaman or leading deck rating or has performed such duties.

*Please indicate whether advantage is taken of the provisions of this Article, and, if so, how it is applied.*

#### *Article 4*

The competent authority may provide for the recognition of certificates of qualification issued in other territories.

*Please indicate whether, and to what extent, certificates issued in other territories are recognised by the competent authority of your country.*

- III. **Please state to what authority or authorities the application of the above-mentioned legislation and administrative regulations, etc., is entrusted, and by what methods application is supervised and enforced.**
- IV. **Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.**
- V. **Please give a general appreciation of the manner in which the Convention is applied in your country, including, for instance, extracts from the reports of the inspection services, and, if such statistics are available, information concerning the number of certificates granted.**

**VI. Please indicate the representative organizations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the International Labour Organization.<sup>1</sup> If copies of the report have not been communicated to representative organizations of employers and/or workers, or if they have been communicated to bodies other than such organizations, please supply information on any particular circumstances existing in your country which explains the procedure followed.**

**Please indicate whether you have received from the organizations of employers or workers concerned any observations, either of a general kind or in connection with the present or the previous report, regarding the practical application of the provisions of the Convention or the application of the legislation or other measures implementing the Convention. If so, please communicate a summary of the observations received, together with any comments that you consider useful.**

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<sup>1</sup> Article 23, paragraph 2, of the Constitution reads as follows: "Each Member shall communicate to the representative organizations recognized for the purpose of article 3 copies of the information and reports communicated to the Director-General in pursuance of articles 19 and 22."