

German Flag:
Essential new contents of the ordinances concerning maritime labour law that entered into force on 1.8.2013
(with direct practical relevance for ship owners)

Ship's Manning		
Ordinance on Ship Manning		
Regulation	Clause	Practical relevance
A ship's cook has to be on board from 10 crew members upwards (acc. to Safe Manning Document) (conforms 1:1 to MLC). Qualified as a ship's cook is: <ul style="list-style-type: none"> - A cook trained acc. to German law or a comparable training occupation or - Certificate of a Chamber of Industry and Commerce (IHK) about an instruction on statute restaurant law or - Certificate of a ship's cook of an MLC contracting state or - Certificate of a ship's cook of an MLC non-contracting state. 	§ 7	Certificate of qualification as a ship's cook has to be on board (will be checked).
A ship's doctor has to be on board on ships in international trade with a duration of the voyage of more than 3 days and with 100 persons or more on board.	§ 6	New regulation conforms 1:1 to MLC. Until now, a ship's doctor had to be on board in the case of 75 persons or more.
Hours of Work and Hours of Rest		
Ordinance on the working organization and working time records in maritime shipping		
Regulation	Clause	Practical relevance
The revised ordinance largely corresponds to the old ordinance.	§ 7	Models of the working time records and the table of the shipboard working organisation have been slightly modified (now references to MLC and Maritime Labour Act)
Offshore Working Hours Ordinance		
Regelung	Clause	Practical relevance
Only few amendments to the Maritime Labour Act by the Ordinance on the Hours of Work and Hours of Rest of Crew Members (in Section 3 = §§ 11-15); all other rules of the ordinance refer to "on-shore employees", e.g. construction personnel on offshore jack-up vessels for wind farms	§§ 11-15	The extension to 12 hours of maximum working time by § 12 only relates to the regular working time. §§ 48, 49 Maritime Labour Act (Minimum hours of rest/Maximum hours of work) are decisive for crew members.

Accommodation		
Ordinance on Accommodation in Maritime Shipping		
Regulation	Clause	Practical relevance
The rules of the ordinance that require modifications of the spaces of a ship only apply to new ships whose keel was laid on or after 1.8.2013.	§ 30 subs 1 No. 2	The bigger part of the ordinance refers to new ships (except duties of conduct which are also valid for existing ships)
Ships under a foreign flag which were built before 1.8.2013, but are to change to the German flag after 1.8., have to conform to the provisions of ILO Conventions Nos. 92 and 133.	§ 30 subs 2 No. 1	Alterations of older ships changing to the German flag are not necessary.
Basically, occupancy of single cabins applies, however, it does not apply: <ul style="list-style-type: none"> - In the case of trainees if the sleeping room is equipped with separate bath and toilet (2-person-occupancy permissible) - On special ships and ships < 3.000 GT (2-person-occupancy permissible), - On passenger ships (4-person-occupancy permissible, but max. 2 officers), - On fishing vessels (4-person-occupancy permissible, but max. 2 officers) 	§ 15 subs 2	Trainees/apprentices can be accommodated in 2-person-cabins.
Treatment room necessary in case of: <ul style="list-style-type: none"> - Ships in worldwide trade, - Ships with >15 persons and more than 3 days duration of voyage, - Passenger ships in worldwide trade + European trade (formerly: "Kleine Fahrt"/Coastal Trade), - Fishing Vessels in deep-sea fishing 	§ 22 subs 1	Provisions are largely equal to the previous provisions of the Ordinance on Medical Care.
Medical Care		
Ordinance on the Rules of Procedure of the Committee for Medical Equipment in Maritime Shipping		
Regulation	Clause	Practical relevance
The medical equipment on board (medicines, medical products, auxiliary means) will be determined by the „Committee for Medical Equipment for Sea Shipping“, no longer by ordinance.	§§ 1, 2	The medical equipment necessary for sea-going ships will be published by BG Verkehr
Flag State Inspections		
Ordinance on Maritime Labour Inspections		
Regulation	Clause	Practical relevance
The owner has to determine clearly who is the ship owner in the meaning of the Maritime Labour Act: <ul style="list-style-type: none"> a) Either the owner him/herself (then transmission of an excerpt of the Ships' Register to BG Verkehr), or b) the ship's operator (then transmission of the Declaration of Responsibility to BG Verkehr). If in doubt, BG Verkehr may inspect the contract between ship owner and ship operator.	§ 3	Shipping companies should pay attention that the responsible person acc. to the ISM-Code (DOC-Holder) is identical with the ship owner acc. to the Maritime Labour Certificate.

Intermediate or Renewal Inspections for Maritime Labour Certificates: MLC-Regulation has been adopted 1:1 into German Law	§ 5	Periods as for the Safety Certificates
Interim Maritime Labour Certificates: MLC-Regulation has been adopted 1:1 into German Law	§ 6	Interim Certificate for a ship may only be issued once.
BG Verkehr will publish model forms of Maritime Labour Certificate, DMLCs and other documents	§ 8	Recognized Organizations (classification societies) may use their own model forms