



Process approval

Yes

No

Signature of Registrar of Seafarers

MERCHANT SHIPPING ACT, 2009

Part VII

APPLICATION FOR ANNUAL SEAFARERS RECRUITMENT AND PLACEMENT SERVICES LICENSE

Issued in accordance with the Maritime Labour Convention Reg. 1.4 and Merchant Shipping Act, 2009 Section 118(3) & (4)

WARNING TO APPLICANTS:

A false declaration may lead to legal proceedings.

Part 1: General particulars

Registered Name.....

Postal Address

Telephone..... Email

Physical location

Date of Establishment Business registration No.

Certificate of Taxpayer Registration

Director’s particulars (*attach copy of latest annual returns of company directorship*)

No	Name	ID/Passport No.	KRA PIN Certificate No.
1.			
2			
3..			
4.			
5.			

Part 2: Undertaking

I, the undersigned, authorized to act on behalf of
undertake to:

- (i) Not use means, mechanisms or lists intended to prevent or deter seafarers from gaining employment for which they are qualified
- (ii) require no fees or other charges for recruitment or placement of seafarers be borne directly or indirectly, in whole or in part, by the seafarers;
- (iii) familiarize seafarers on recruitment policies and procedures, terms and conditions of employment and other relevant information;
- (iv) ensure that any seafarer recruited or deployed is qualified and holds the documents necessary for the job concerned;
- (v) ensure that contracts of employment are in accordance with the standard employment contract and other applicable laws, regulations and collective bargaining agreements;
- (vi) ensure that seafarers are informed of their rights and duties under their contracts of employment prior to or in the process of engagement;
- (vii) ensure that proper arrangements are made for seafarers to examine their contracts of employment and articles of agreement before and after they are signed and for them to receive a copy of the contract of employment;
- (viii) ensure that the ship on which seafarer is engaged has a financial security. The system shall provide direct access, sufficient coverage and expedited financial assistance, in accordance with requirements of Standard A.2.5.2 of the MLC, 2006 as amended, to any abandoned seafarer :
- (ix) ensure that the ship-owner provides evidence of insurance or equivalent from a recognized company to cover seafarers employed on the ships with respect to financial consequences of sickness or injury or death occurring while they are serving under a seafarers employment agreement in line with the requirements of Reg. 4.2 of the MLC, 2006 as amended
- (x) ensure that seafarers are provided with access to social security protection in line with Reg. 4.5 of the MLC, 2006 as amended
- (xi) assume full and complete responsibility for all claims and liabilities which may arise in connection with the use of the license;
- (xii) assume joint and separate liability with the ship owner for all claims and liabilities arising from the employment contract between the seafarer and the ship owner;
- (xiii) guarantee compliance with the applicable maritime labour laws for the time being in force in Kenya, applicable regulations of the flag state of the ship on which a seafarer is to be engaged and maritime labour regulations adopted by the International Maritime Organization and the International Labour Organization;
- (xiv) assume full and complete responsibility for all acts of its officials, employees and representatives

- done in connection with recruitment and placement of seafarers on board ships;
- (xv) submit copies of the crew agreement to the Authority in respect of every change of crew;
- (xvi) maintain an up-to-date register of all seafarers recruited or placed through them;
- (xvii) examine and respond to any complaint concerning their activities and advise the Authority of any unresolved complaint;
- (xviii) repatriate the deployed seafarers when the need arises;
- (xix) maintaining up-to-date lists of the ships for which the seafarer recruitment and placement services provide seafarers and ensuring that there is a means by which the RPS can be contacted in an emergency at all hours;
- (xx) ensure Kenya Seafarers and Seafarers domiciled in Kenya comply with statutory obligations and benefits in accordance to Kenyan laws.

Name of representative

Designation Date

Signature and stamp

DOCUMENTS SUBMITTED WITH THIS APPLICATION (tick appropriately)

I hereby submit the following documents with this application

- 1 Certified copy of Certificate of incorporation
- 2 Certified copy of Memorandum & Articles of Association
- 3 Certified copy of annual return on company directorship
- 4 Certified copy of other business registration documents
- 5 Certified copy of ID/Passport of directors
- 6 Certified copy of KRA Certificate of Taxpayer Registration for the Directors and Company
- 7 Certified copy of Tenancy agreement/Title deed
- 8 Certified copy of crew agency agreement or show intention of crew placement and recruitment (for new applicant)
- 9 Certified copy of certificate of Tax compliance
- 10 Certified copy of insurance for repatriation Reg. 2.5 and personal injury Reg. 4.2 of the MLC, 2006
- 11 Certified copy of good conduct for directors
- 12 Sample of Seafarers Employment Agreement
- 13 Quality management system or procedure for recruiting seafarers
- 14 In the case of foreign RPS (approval or license by a member of the MLC, 2006)
- 15 Types of ships handled (General cargo, LNG, LPG, Fishing etc)
- 16 Complaint procedures onshore and onboard
- 17 NSSF and SHA certificate of compliance
- 18 Bank deposit slip (upon inspection and approval of the RPS)
- 19 Company policy for seafarers data protection
- 20 Certificate of National Employment Authority
- 21 Insurance / financial security to cover claims and liabilities arising from employment contract in case of default by ship-owner

Notes

- i. Providing false information is an offence punishable by either a prison term or fine or both;
- ii. The Authority may seek to verify physically any pertinent information from the business premises;
- iii. The undertaking shall supplement the seafarers recruitment and placement services licence and shall be conspicuously be displayed within your business office;
- iv. The Authority may cancel, suspend or revoke a license issued if deems fit to do so.

FOR OFFICIAL USE ONLY

Requirements met?

Approval

Yes No

Issuance Approval
 Yes No

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verification committee

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Registrar of Seafarers

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Fee paid for Application Forms Kshs/USD..... Receipt No.....	Licensing fee Paid Kshs/USD..... Receipt No.....
Certificate..... Approved by(Name).....	
Valid Till.....	
Remarks.....	
Designation.....Signature.....Date.....	