

§ 819. - Seafarers' Engagement (Foreign Vessels) Recommendation, 13 Maggio 1958 n. 107.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Forty-first Session on 29 April 1958, and

Expressing its serious concern at the tendency of nationals of certain maritime countries to serve in vessels of other countries without properly negotiated collective agreements ensuring them the protection and standards applicable to vessels of their own countries, and

Having decided upon the adoption of certain proposals concerning the engagement of seafarers, which is the third item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts this thirteenth day of May of the year one thousand nine hundred and fifty-eight, the following Recommendation, which may be cited as the Seafarers' Engagement (Foreign Vessels) Recommendation, 1958:

1. Each Member should do everything in its

power to discourage seafarers within its territory from joining or agreeing to join vessels registered in a foreign country unless the conditions under which such seafarers are to be engaged are generally equivalent to those applicable under collective agreements and social standards accepted by bona fide organisations of shipowners and seafarers of maritime countries where such agreements and standards are traditionally observed.

2. In particular, each Member should have regard to whether proper provision is made—

(a) for the return of a seafarer employed on a vessel registered in a foreign country who is put ashore in a foreign port for reasons for which he is not responsible to—

(i) the port at which he was engaged; or

(ii) a port in his own country or the country to which he belongs; or

(iii) another port agreed upon between the seafarer concerned and the master or shipowner, with the approval of the competent authority or under other appropriate safeguards;

(b) for medical care and maintenance of a seafarer employed on a vessel registered in a foreign country who is put ashore in a foreign port in consequence of sickness or injury incurred in the service of the vessel and not due to his own wilful misconduct.