

# Ross Sea toothfish longline

## Certificate Holder Forced and Child Labour Policies, Practices and Measures

### 1 Introduction

Fisheries and at-sea Certificate Holders (CH) in the Marine Stewardship Council (MSC) program are required to provide a self-description of policies and measures, including regulatory requirements and procedures that are in effect in the Unit of Assessment, to protect fishing crew from forced labour or child labour, as well as any efforts by the private sector. The objective is to require certificate holders to communicate how government, industry, or other relevant entities protect against forced or child labour.

Each fishery and at-sea Chain of Custody client shall provide this information by completing this template. This template should be completed by the client in good faith and be based on information known and available to the client at the time of completion. The information provided should be representative of the range of measures known to the certificate holder.

The completed form will be uploaded to MSC database to be published on the MSC website at the same time as the Public Certification Report.

Guidance for filling in the template is found in the [Appendix](#) of this template. Information is required on all issues addressed in the template and should be provided in English, which is the official language of the MSC.

Please complete all unshaded fields. Please fill in N/A if an issue is not applicable, including a short justification for why it is not applicable.

## 2 Marine Stewardship Council certificate holder forced and child labour policies, practices and measures

**Table 2.1 – Certificate holder information**

1	Composition of fishery client group on behalf of who the statement is provided
	<ul style="list-style-type: none"> <li>- Characterise the composition of the fishery client group, including cost sharing entities.</li> <li>- Describe the relationship between cost sharing members of the fishery client group and the vessel owners and operators of the Unit of Certification (UoC).</li> </ul>
CH	<p>The fishery client group is composed Argos Froyanes Limited, Sanford Limited, Talley's Group Limited, Ervik Havfiske AS, Pesquerias Georgias SL, and Australian Longline Pty Ltd. The client group consists of members in New Zealand, Australia and UK, Norway and Spain with New Zealand (Silvifish Resources Ltd) providing the coordination focus for Client Group, scientific and management activity. Cost sharing within the client group is proportional and is based on the number of vessels participating for each group entity. Main items of expenditure are Certification Body annual audit fees; Group Entity Member's work undertaken to meet the annual surveillance requirements and review of certification conditions; general education and development of the MSC fishery; participation at science forums; liaison with stakeholders; engagement of project management services to undertake the work required to maintain certification and complete the Group Action Plan; and any Group-approved Scientific projects and/or specific research activities undertaken. In the last fishing season (2019/20) the UoC Companies operated ten vessels in the fishery (Australia 1, New Zealand 3, Spain 1, United Kingdom 4 and Ukraine 1)</p>
2	Responsibility for labour regulation
	<ul style="list-style-type: none"> <li>- What management authorities and laws, including flag state authorities, control labour-related regulations in the unit of assessment area?</li> <li>- How are laws enforced?</li> </ul>
CH	<p>The Ross Sea fishery takes place in international waters with vessels operating under annual approvals to fish agreed annually by the Commission for the Conservation of Antarctic Marine Living Resources based in Hobart (CCAMLR). Flag state laws and regulations govern each vessel</p> <p><b>New Zealand:</b> New Zealand vessels must operate under the provisions of the Ship Registration Act 1992 and the Maritime Transport Act 1994. New Zealand vessels must also comply with all relevant legislation relating to the human rights and safety of fishers. All aspects of worker livelihood are specified through Acts of Parliament and supported by associated rules and regulations. There are a number of New Zealand statutes that provide specific rights and protections for workers (including fishers) including:</p> <ul style="list-style-type: none"> <li>• the Human Rights Act 1993;</li> <li>• the Crimes Act 1961;</li> <li>• the Health and Safety at Work Act 2015;</li> <li>• the Immigration Act 2009; and</li> <li>• the Privacy Act 1993.</li> </ul> <p>New Zealand laws also give effect to a number of relevant conventions of the International Labour Organisation ('ILO'), the International Maritime Organisation ('IMO') and the United Nations ('UN'). In particular, New Zealand has ratified the following conventions that relate specifically to forced and child labour including:</p> <ul style="list-style-type: none"> <li>• <i>ILO Convention 105 Abolition of Forced Labour</i>;</li> <li>• <i>ILO Convention 182 Worst Forms of Child Labour</i>; and</li> </ul> <p><i>Article 32 of the United Nations Convention on the Rights of the Child</i> (which recognises the rights of children to be protected from economic exploitation and from performing any work that is likely to be hazardous, harmful or to interfere with the child's education).</p> <p><b>United Kingdom.</b> Vessels registered in Saint Helena Island are governed by the Welfare of Children Regulations 2010, as amended. Vessels registered in Montevideo, Uruguay are regulated by Uruguayan Labour Law which is applied through the Uruguayan Ministry of Labour and Social Authority (BPS)</p>

	<p><b>Australia:</b> The Australian vessel active in the Ross Sea Toothfish Longline fishery operates under relevant Australian labour laws, including:</p> <ul style="list-style-type: none"> <li>the Australian Maritime Safety Authority's Marine Order 11 (Living and Working Conditions on Vessels) 2015, and Marine Order 28 (Operations Standards and Procedures) 2015;</li> <li>the federal Criminal Code, Migration Act 2007.</li> <li>Australia has also ratified ILO 29 (Forced Labour), 105 (Abolition of Forced Labour), 182 (Worst Forms of Child Labour).</li> </ul> <p>While Australia has not ratified ILO 138 and 188, its Marine Orders 11 and 28, as well as its Modern Slavery Act 2018 takes into account these requirements.</p> <p><b>Spain.</b> Spanish flagged vessels are regulated by the Maritime Labor Convention, 2006 (or Convenio de Trabajo Marítimo ,CTM 2006), approved by the International Labor Conference of the ILO on February 7, 2006. This was ratified by the Kingdom of Spain and entered into force on August 20, 2013. This Agreement is supported by the International Maritime Organization (IMO), the International Federation of Transportation Workers (ITF), which represents the crew, and the International Shipowners Federation (ISF). Components covered within the convention are:</p> <ul style="list-style-type: none"> <li>Minimum age (Rule 1.1);</li> <li>Medical Certificate (Rule 1.2);</li> <li>Qualities of seafarers (Rule 1.3);</li> <li>Employment agreements of seafarers (Rule 2.1);</li> <li>Use of any private contracting and placement service authorized, certified or regulated (Rule 1.4);</li> <li>Hours of work and rest (Rule 2.3);</li> <li>Ship Levels (Rule 2.7);</li> <li>Accommodation (Rule 3.1);</li> <li>Recreational services on board (Rule 3.1);</li> <li>Food and catering (Rule 3.2);</li> <li>Health and safety and accident prevention (Rule 4.3);</li> <li>On-board medical care (Rule 4.1);</li> <li>Procedure for handling complaints on board (Rule 5.1.5); and</li> <li>Payment of wages (Rule 2.2)</li> </ul> <p><b>Ukraine</b> Ukrainian Vessels engaged in fishing in the Ross Sea must comply with Ukraine Law №3677-VI of July 8th, 2011: "On Fisheries, Industrial Fisheries and the Protection of Water Bioresources". Ukraine also supported the ratification of the following international conventions:</p> <ul style="list-style-type: none"> <li>- ILO Convention 105 Abolition of Forced Labour;</li> <li>- ILO Convention 182 Worst Forms of Child Labour.</li> </ul> <p>Although the International Convention on Work in the Fisheries Sector No. 188 of 2007 is not yet supported by Ukraine, its provisions are actively used in fishing.</p>
3	Risk identification and mitigation
	<ul style="list-style-type: none"> <li>- Describe the processes, including government and certificate holder measures, that are in place in the UoC to identify and mitigate any risk of child and forced labour.</li> </ul>
CH	<p><b>New Zealand:</b> New Zealand law requires all commercial fishing vessels to be registered as New Zealand vessels (Ship Registration Act 1992) and their fishers to be covered by New Zealand labour law (Maritime Transport Act 1994) . All rights and protections apply whether fishers are New Zealand citizens or foreign nationals. There are a number of New Zealand statutes that provide specific rights and protections for workers (including fishers) as listed in paragraph 2. New Zealand law also gives effect to a number of relevant conventions of the International Labour Organisation ('ILO'), the International Maritime Organisation ('IMO') and the United Nations ('UN') also itemised in paragraph 2.</p> <p>By law fishers must be at least 16 years old to work on a New Zealand fishing vessel. A register of all persons under the age of 18 years who are engaged on any New Zealand fishing vessel is required by law and must include the date of birth of each such person. Maritime New Zealand conduct MOSS (Maritime Operator Safety System) audits on New Zealand company systems and processes on a regular basis to ensure compliance with Maritime law and our Human Resources practises. Sanford Ltd and TGL restrict crew to those over 18.</p> <p>Sanford Ltd requires photo identification as part of the recruitment process to prove the identity and age of potential sharefishers. This is then verified by governmental agencies such as the Ministry of Justice</p>

	<p><b>United Kingdom:</b> Saint Helena registered vessels require all crew to supply official identification documents and related certificates to ensure they are 18 years of age. All employees on Uruguayan registered vessels have to be registered with the BPS, the company does not employ persons under 18 years of age. The age of the person is checked online by Uruguayan authorities since the employee is entered into the labour system.</p> <p><b>Australia:</b> Australian Maritime Safety Authority Marine Order 11 prohibits engagement of any crew under 16 years of age, and those under 18 years of age require approved training. Copies of passports are required for all crew, and these are used to confirm age before contracts are signed.</p> <p><b>Spain:</b> By law fishermen must be at least 16 years old, they must show their Passport, (National Identity Document or DNI), and their seaman's book. Company staff and officers on the ship compile crew lists, which are checked by Marina Mercante through the Capitanía Marítima who check all agreements (health certificates, certificates of competency and age). Any updates to the crew list are also checked and need to be approved by Marina Mercante through the Capitanía Marítima.</p> <p><b>Ukraine:</b> Crew members working on vessels under the flag of Ukraine must meet the requirements specified in the Decree of the Ministry of Agrarian Policy of Ukraine No. 7 of January 12th, 2005: "On approval of the Regulation on certification of personnel of vessels of the fishing industry fleet". All seafarers must be at least 18 years of age, have a medical examination certificate, a document certifying their competence and holding a certain position, as well as any other list of documents according to the position.</p>
4	Crew recruitment
	<ul style="list-style-type: none"> <li>- Describe the typical methods used to recruit crew in the UoC and describe the migrant composition of crew if any.</li> </ul>
CH	<p><b>New Zealand:</b></p> <ul style="list-style-type: none"> <li>• Sanford Limited: All crew engaged by Sanford Limited within the UoC are sharefishers. All are required to be NZ residents. Recruitment of crews to Sanford vessels is by traditional recruitment methods including print media, online career websites and social media formats including Facebook.</li> <li>• Talleys Group Limited (TGL): Crew recruitment for the Ross Sea Toothfish Fishery is done through advertisements in domestic media, on the Talley's website and from a select overseas agent. The crew composition for the UoC vessels is generally about 80% New Zealand citizens and 20% from the Pacific region. No foreign crew can enter the New Zealand workforce including vessels without with immigration approval requiring extensive vetting and scrutiny.</li> </ul> <p><b>United Kingdom:</b> The Company employs most crew members directly for Saint Helena registered vessels. The only agency used to assist candidates with personal document arrangements is in Murmansk. This agency has a certification by ILO under MLC 2006. Currently eight nationalities are employed on the South Georgia licensed vessels (employees, excluding observers): Russian, Peruvian, Spanish, Norwegian, New Zealanders and Uruguayans. The Company hires crew directly for Uruguayan registered vessels. All crew payments are made directly to their personal or family accounts. The company Safety Compliance and Operations Manual includes Policy No 2 – Anti-bribery, Policy No 3 - Modern Slavery Act Transparency and Policy No 4 - Vessel Recruitment Policy.</p> <p><b>Australia:</b> Crew members are recruited, following direct application to the company or a recruitment company acting on Australian Longline's behalf, based on skills and experience commensurate with the position. Underpinning this process is compliance with the Australian Maritime Safety Authority's Marine Order 51 which outlines minimum competency standards and Marine Order 21 outlining manning levels. The composition of the crew by nationality includes Australians, New Zealanders and Indonesians.</p> <p><b>Spain:</b> The Company (Pesqueras Georgia SL) employs Spanish crew (officers, engineers and some crew) directly, as they do with their Chilean and Peruvian crew. All Indonesian crew are recruited through two reputable recruitment agencies, one based in Vigo, Spain, the other in Indonesia. The composition of nationalities is about 22.5% Spanish/Portuguese, 12.5% Chilean/Peruvian, and 65% Indonesian.</p> <p><b>Ukraine:</b> The Company employs crew members following direct application to the company or through a recruitment company (dependent on personal skills and experience). The agency companies used to recruit crew members are based in Odessa, Kherson, Belgorod-Dnestrovskiy. The composition of the crew by nationality includes Ukrainians, Russians and Indonesians.</p>

5	Engagement with fish worker groups
	<ul style="list-style-type: none"> <li>- Where there is known engagement with fisher, migrant, and worker rights groups, describe how this occurs and the organisations engaged with workers in the Unit of Assessment (UoA).</li> </ul>
CH	<p><b>New Zealand:</b></p> <ul style="list-style-type: none"> <li>• Sanford Limited. Crew are a collective of independent Sharefishers on an individual vessel by vessel basis with a nominated representative. The collective negotiates the terms of their engagement with Sanford Limited under a Contract for Service every two years. Sanford contracts only NZ residents in the UoC fishery.</li> <li>• TGL. The New Zealand Fishing Industry Guild is the registered union for commercial fishermen working for New Zealand fishing companies. Membership is open to all fishers. The NZFIG can negotiate a Collective Agreement on behalf of crews; provides support for members with unresolved employment disputes; assists with employment opportunities and provides other valuable Member Benefits.</li> </ul> <p><b>United Kingdom:</b> There are three unions – one for Captains, one for Engineers and one for crew (SUNTMA) for Uruguayan crew working on Saint Helena or Uruguayan registered vessels. As well as other obligations these unions protect and propose base salaries and working condition. Most Uruguayan crew belong to a union. A company representative in Montevideo meets regularly with the various Unions - as a minimum once before each trip of a Uruguayan flagged vessel.</p> <p><b>Australia:</b> The Fair Work Act 2009 underpins workplace protections, including providing the right for employees to freely associate with and participate in industrial associations.</p> <p><b>Spain:</b> As far as the company is aware, none of the current crew are members of a union or workers' rights group, although they are free to do so should they wish.</p> <p><b>Ukraine:</b> Currently no information is available indicating that any crew member is a member of a seafarers' trade union, but there are no barriers in place to such membership - anyone can become a member of such a union.</p>
6	Crew contracts
	<ul style="list-style-type: none"> <li>- Describe the nature of contracts or legal work agreements in place in the UoC and the issues addressed in such agreements.</li> </ul>
CH	<p><b>New Zealand:</b></p> <ul style="list-style-type: none"> <li>• Sanford Limited: Crew are engaged by Sanford as independent contractors (Sharefishers) who contract their services to Sanford Limited under a formally negotiated contract for services reviewed every two years.</li> <li>• TGL: All employees are required to sign an employment contract prior to commencing work, and then annually. The employment contracts cover all NZ legal requirements as listed under Paragraph 2, their rates of pay and working conditions.</li> </ul> <p><b>United Kingdom:</b> Contracts are signed individually between each crewmember and the company. Individual contracts issued by the company have been audited by the UK MCA on their compliance with ILO 188 and UK requirements in April 2019. Contracts are according to Uruguayan law and with a pre-established agreement with the unions.</p> <p><b>Australia:</b> Crew are engaged on an individual contract trip-by-trip basis. Crew members may negotiate some detailed terms of their individual agreements with the employer but in general contracts consist of a standard set of terms and conditions with a set rate component and a cost-adjusted share of catch component. Indonesian crew are engaged by Australian Longline's Indonesian recruitment agency. Contracts provided to Indonesian crew members through are translated to Bahasa Indonesia.</p> <p><b>Spain:</b> All Spanish/Portuguese and South American crew are employed directly by the company, and contracts are between the company and the crew under Spanish law. Spanish crew have their contracts in Spanish. Indonesian crew have their contracts in both English and in Bahasa. Crew contracts are governed by Spanish and Falkland Islands law. Crew contract lengths vary, but are generally for a period of one year, with travel costs incorporated, these include expenses for a mid-season break).</p>

	<p><b>Ukraine:</b> Every seafarer on board signs an individual contract, which stipulates working conditions: duration of voyage, amount of remuneration, and lays out the rights and obligations of the Employer and Employee.</p>
7	Audits and labour inspections
	<ul style="list-style-type: none"> <li>- Describe any 3rd Party audits and certifications on labour, or labour inspections conducted within the UoC in the last two years.</li> </ul>
CH	<p><b>New Zealand:</b> The labour inspectorate of the Ministry for Business, Innovation and Employment (MBIE) is active in checking various aspects of worker livelihood for fishers working on New Zealand vessels. Maritime New Zealand (MNZ) also manages port inspections of fishing vessels which cover health and safety of the operation, training, manning levels, accommodation, provisions, certification and labour issues.</p> <ul style="list-style-type: none"> <li>• Sanford – The most recent audit was conducted in 2019.</li> <li>• TGL - no audits.</li> </ul> <p><b>United Kingdom:</b> The UK MCA carry out independent audits of British Flagged vessels (Saint Helena) operated by the company against ILO188 requirements. This process commenced in April 2019. The company has passed and is awaiting the formal confirmation (certificate). The Government of Uruguay can carry out audits and inspections of work activities/conditions in any Uruguayan company/vessel, these are carried out by BPS. Financial statements audits include the controls and determination of the correct application of local social security charges and wages accruals. There are no adverse findings or outstanding items from any audit for any of the Companies.</p> <p><b>Australia:</b> DNV-GL Class Society undertakes annual vessel inspections which include verifying compliance with relevant Marine Orders, including Marine Orders 11 and 28 which contain labour clauses.</p> <p><b>Spain:</b> The Spanish vessel was inspected twice in the last year by inspectors from SAMSA (the South African Marine Safety Authority) whilst the vessel was in the port of Cape Town. This was done under Port State Control measures. The inspection included health and safety, sanitary aspects, and accommodation standards. As part of the process two crew members were interviewed and their contracts scrutinised for compliance. Although these SAMSA reports are not available to the vessel no negative findings were reported.</p> <p><b>Ukraine:</b> Representatives of the State Fisheries Agency of Ukraine actively cooperate with the owners of vessels flying the flag of Ukraine, advise on the correct selection of personnel, and their training in the relevant centres of excellence. The company's latest compliance review with ISM Code was conducted in October 2019.</p>
8	National minimum age requirements
	<ul style="list-style-type: none"> <li>- Describe national minimum age requirements for crew members serving on vessels within the UoC.</li> <li>- Describe systems in place, both regulatory and private sector systems, to ensure that crew members meet national minimum age requirements.</li> <li>- Describe how this is checked, including enforcement within the UoC by the responsible governing authority or oversight body such as labour inspectors.</li> </ul>
CH	<p><b>New Zealand:</b> See Par 3. New Zealand law requires all commercial fishing vessels to be registered as New Zealand vessels and their fishers to be covered by New Zealand labour law. All rights and protections apply whether fishers are New Zealand citizens or foreign nationals. By law fishers must be at least 16 years old to work on a New Zealand fishing vessel.</p> <ul style="list-style-type: none"> <li>• Sanford Limited has a company policy not to engage independent contractors under the age of 18. When sharefishers are assessed for their suitability to contract their services to Sanford Limited a large amount of information is required including proof of identity and date of birth.</li> <li>• TGL has a policy to not employ sea-going crew under the age of 18 on-board their vessels.</li> </ul> <p><b>United Kingdom:</b> The Company policy is not to hire persons under the age of 18 years due to the nature of the work on board of the vessels. The UK (Saint Helena) has the Welfare of Children Ordinance and Regulations. Uruguay has the BPS requirements. Checks from company and flag states are covered in Section 2 (above). In Uruguay in certain cases it is permissible to work at the age of 16 but the company requires a minimum age of 18, as per the company Safety Compliance and Operations Manual (Policy No 4).</p>

	<p><b>Australia:</b> Marine Order 11 prohibits engagement of crew under 16 years of age, and those under 18 years of age require approved training. Copies of passports are required for all crew, which are used to confirm their age before being contracted to work. The skills and depth of experience required for all positions on vessels in the fishery also preclude the employment of young crew.</p> <p><b>Spain:</b> The company does not hire anyone under the age of 18, although Spanish law allows employment of crew of 16 years or over (see responses to questions 2 and 3 above). Company staff and officers on the vessel compile crew lists, which are checked by Marina Mercante through the Capitanía Marítima. Also checked are all agreements (health certificates, certificates of competency and age). Any updates to the crew list are also submitted and checked as these require approval by Marina Mercante through the Capitanía Marítima.</p> <p><b>Ukraine.</b> All seafarers must be at least 18 years of age. The company complies with international labour standards and only employs competent and qualified personnel .</p>
9	Repatriation
	<ul style="list-style-type: none"> <li>- Describe how repatriation issues are dealt with in the UoC with respect visits end of contract, voluntary and involuntary termination, and freedom of movement and the extent to which these are included in contracts.</li> </ul>
CH	<p><b>New Zealand:</b> Fishing companies and seafarers (other than the vessel's Master) are required to enter into articles of agreement prior to any departure for an overseas voyage. These articles are to be easily accessible from the seafarer's quarters and ensure that any termination of service is by notice in writing. Articles of agreement are required to make provision that on the termination of any voyage or where a seafarer has been left behind the ship for any reason (other than wilful act or default), there is provision to return the seafarer to his or her own country or to the port where that seafarer was engaged or to the port where the voyage commenced or any other place agreed to between the seafarer and the company. A seafarer on a New Zealand ship may recover from the vessel's operator, or any agent of the operator, the reasonable expenses incurred by the seafarer in returning to his or her own country, or to the port where the crew member was engaged, if the vessel operator does not comply with their obligations under this provision (Subsection c. of the Maritime Transport Act 1994).</p> <p><b>United Kingdom:</b> Repatriation is paid for by the company in all cases unless it is a case of either Serious Misconduct by a crewmember or voluntary resignation by the crew member. These provisions are included in contracts.</p> <p><b>Australia:</b> Crew member contracts make provision for the repatriation of all crew at the conclusion of their contract <b>except in the case of dismissal for serious misconduct where repatriation costs are covered at the company's discretion, the terms of which are covered in contracts.</b></p> <p><b>Spain:</b> Repatriation (whether voluntary or involuntary) is covered within every crew member's contract and at cost to the company.</p> <p><b>Ukraine:</b> The company is responsible for the repatriation of each seaman in accordance with the signed individual contract.</p>
10	Debt bondage
	<ul style="list-style-type: none"> <li>- Describe if there is evidence of systemic practices to impose costs on crew members for placement or brokerage fees, travel to the workplace, visa, medical, safety gear, clothing/protective gear, food at the workplace, communications access, remittance fees, repatriation, etc.</li> <li>- If so, describe such practices and how debt bondage is avoided.</li> </ul>
CH	<p>New Zealand:</p> <ul style="list-style-type: none"> <li>• Sanford Limited - Sharefishers contracting their services to Sanford Limited pay a share of the fuel and stores expenses incurred in relation to each voyage as part of the negotiated Contract for Services. For each voyage, each individual crew member's share of the food and stores expenses is calculated and deducted according to the share allocation of catch for their position. Sharefishers receive a fixed daily rate which is paid out in full (100%) every week while crew are at sea. A sharefisher is guaranteed this fixed daily rate (paid weekly into their nominated bank account) regardless of catch. Fuel and stores expenses are only deducted at the end of a trip. Any additional payment as a result of catch is made at the end of each trip and is based on the crew member's agreed proportion of the share under the Contract for Services – i.e. the proportion is based on</li> </ul>

	<p>designated position aboard. At this point payments already made at the fixed daily rate and any deduction for fuel and stores will be removed; assuming the total is greater than the combined payments already received. Sharefishers do not pay for other items listed above (e.g. placement fees, visa's, medical assessments, safety gear, clothing/protective gear, travel etc).</p> <ul style="list-style-type: none"> <li>TGL - Crew on UoC vessels are sourced from New Zealand and from the Pacific region. All crew are processed through the Talley's HR department who ensure that their employment complies with New Zealand law and good work practices. There are no additional costs to crew members for travel to-and-from the vessel or for accommodation, medical treatment, safety gear, protective gear or food at the workplace. Crew have email facilities while at sea and access to INMARSAT phone communications if required. TGL crew wages are paid directly into their New Zealand bank accounts.</li> </ul> <p><b>United Kingdom:</b> As per their individual contracts the company takes 100% responsibility for payment for employment travel, repatriation costs, working clothes, health and safety equipment, personal protective equipment, food and accommodation provision, medical support, medication on board and personal online communications. The only communication available that is not free is satellite phone calls, the company passes cost on to the employee without any additional charges. The company Safety Compliance and Operations Manual has a policy regarding Anti Bribery (Policy No 2) and regarding Health and Safety (Policy No 5) and Emergency and Safety Equipment Suppliers (PPE) (Policy No 8).</p> <p><b>Australia:</b> The company provides for all provisions, equipment, medicals, communications access and international travel for crew members. Crew share of catch payment is paid with the following deductions: provisions, protective clothing and domestic travel arrangements. <b>Contracts of crew members engaged through the Indonesian agency provide for payment directly to the crew member's account and do not include deductions for provisions, protective clothing or domestic travel.</b></p> <p><b>Spain:</b> the company covers all transport costs to and from the port of embarkment/disembarkment. Crew are provided with all work clothing, safety gear, and food on board at no charge. The company covers all medical expenses related to employment on board the vessel. The only costs incurred by crew are those of communications (telephone) for which an at-cost deduction is made from wages, as well as any cigarettes and soft drinks. No alcohol can be purchased on board.</p> <p>The vessel's crewing agency has confirmed (backed up by statements from crew) that they are not charging crew for their employment appointments. All agency fees are passed to the company. We are not aware of any debt bondage practices</p> <p><b>Ukraine.</b> The company fully covers all the costs associated with the crew including travel to and from the vessel, food, protective clothing and fishing equipment in accordance with individual contracts. Seamen through the company pay for communications and provide cigarettes at their own expense. Drinking alcohol is strictly prohibited aboard.</p>
11	Grievance and remedy mechanisms
	<ul style="list-style-type: none"> <li>Please list any policies or measures (e.g. hotline) that are in place for crew voices to be heard and to report and remediate any instances of forced or child labour.</li> </ul>
CH	<p><b>New Zealand.</b></p> <ul style="list-style-type: none"> <li>Sanford do not contract crew under 18 and only contract NZ residents. A wide range of options are available to crew including a Facebook page which has a direct link to Sanford Head Office in Auckland. Contact details are available on the vessel for Sanford Vessel Managers, Human Resources and Crew Payment Teams. Communication systems that would enable these contacts to be used are readily available and accessible aboard Sanford vessels. Sanford also partners with an external support organisation, Organisational Counselling Program (OCP) who provide support services to all workers and contractors to Sanford. This independent service is free of charge, confidential and solely for the support of workers and contractors to Sanford.</li> <li>TGL: Crew employment contracts include a dispute resolution process to be followed in the event of a dispute arising. Any unresolved dispute would be dealt with by litigation or alternative dispute resolution (e.g. through the New Zealand Fishing Guild). The TGL company policy is to view their contracted crew as part of the family and managers are always approachable for informal discussions. This approach facilitates resolution of issues before they escalate into disputes.</li> </ul> <p><b>United Kingdom:</b> Grievances are reported directly to the Captain; otherwise all crewmembers have access to email addresses of company management. Observers and supernumerary crew are covered by the</p>



	<p>company Safety Compliance and Operations Manual (Policy No 9), this also includes all the requirements of the CCAMLR SISO documentation.</p> <p><b>Australia:</b> All crew members have free wifi access onboard to internet communications at all times, with the only restrictions on use relating to social media company policy provisions. Contracts outline company policies and remediation measures in relation to harassment, bullying and discrimination.</p> <p><b>Spain:</b> As in previous section forced or child labour is very unlikely given procedures and operating rules. However, should any grievance occur representation in the first instance could be made to the vessel captain who is not directly involved in the crew recruitment process. The fleet Manager and/or Company Manager are also available for direct contact. Their contact details are available on the vessel. The use of social media is also an option.)</p> <p><b>Ukraine:</b> Each crew member can report directly to the Master about any such issues; There is full access to communications enabling contact with the company at any time.</p>
12	Identification documents
	<ul style="list-style-type: none"> <li>- Describe policies and practice in place across the UoC to ensure that crew members have free and timely access to their identification documents, including National ID, passports, visas, etc.</li> </ul>
CH	<p><b>New Zealand</b>  Sanford - Sharefishers who contract their services to Sanford maintain and manage their own identification documents, so they have access to these at all times.  TGL - All crew are entitled to hold their own documentation in their own possession at all times.</p> <p><b>United Kingdom:</b> The company does not collect and hold personal documents. Onboard vessels the Captain holds passports and Seamans books required for check with the authorities of a fishery regulator/port state/other authority. Crew have access to their personal documents through the Captain of the vessel</p> <p><b>Australia:</b> Crew have free access to identification documents at all times.</p> <p><b>Spain:</b> The vessel's captain holds crew passports and seamen's books as required for inspection by any relevant authority. Crew have free access to their personal documents through the captain or officer of the watch of the vessel.</p> <p><b>Ukraine:</b> Documents are held aboard by the Chief Mate and access to them is available should a need arise.</p>
13	Additional comments
	<ul style="list-style-type: none"> <li>- Do you have additional comments on labour practices within the UoC?</li> </ul>
CH	
14	Date this template was last updated
	<ul style="list-style-type: none"> <li>- DD/MM/YYYY</li> </ul>
CH	

## **3 Appendix – Guidance on filling in the Certificate Holder Forced and Child Labour Policies, Practices and Measures Template**

### **3.1 Composition of the fishery client group on behalf of who the statement is provided**

If a fishery is in full assessment and the cost-sharing participants and arrangements are not yet determined, provide as much detail as possible regarding the expected cost-sharing entities that will comprise the client group, should the fishery achieve certification, and the relationship between such client group representatives and the vessel owners and operators in the Unit of Certification (UoC).

### **3.2 Responsibility for labour regulation**

Provide information on laws and regulation and the authorities that have responsibility for labour regulations in the area in which the fishery operates, including flag state authorities where this is applicable. Describe how these are enforced.

### **3.3 Risk identification, mitigation and remediation**

The information required in this section includes information known by the certificate holder on processes and practices that are applicable in the UoC to identify, assess, prevent and mitigate forced and child labour risks. The information may include government policy or measures, or where applicable, measures being implemented by the certificate holder.

### **3.4 Crew recruitment**

The information required here includes information on the methods used to recruit crew in the UoC, any widespread use of migrant labour, the countries that crew come from and information on recruitment agencies used where this information is available and known to the certificate holder. It may also include information known of visa programs used to bring in workers to the UoC and on payment of recruitment fees.

### **3.5 Engagement with fish worker groups**

In some countries, there may be engagement with fish worker groups or other types of organisations that work to address risks of forced labour. Where this occurs provide information on such engagement. This may include information on any organizations in the port area which support crew members socially, e.g. seafarers' ministry, fishers' association, local committees.

### **3.6 Crew contracts**

Contracts are legal work agreements with labour duties and payments clearly spelled out. Describe the nature of crew contracts in the UoC, specifically features related to forced and child labour, whether the contracts are written in languages understood by crew and how provisions in the contract are enforced.

### **3.7 Audits and labour inspections**

Describe any government labour inspections or social audits and certifications of working conditions within the UoC in the past 2 years. Where the information is available provide a link to the criteria against which the audit took place.

### **3.8 National minimum age requirements**

For this section describe national minimum age requirements and provide a description of regulatory and private sector systems in place to confirm that minimum age restrictions are met. Include information on any exceptions to statutory minimum age requirements which are used by the UoC and information on policy for hiring young workers in compliance with national legislation. This should also include description of any policy or practices for monitoring including hours of work and rest for young workers. This may include information on any other programs which are monitoring labour in your UoC fishing area.

### **3.9 Repatriation**

This section requires a description of how departure of crew members across the UoC is handled. This may include information about government, and/or where known, any applicable company policy on end of crew members' contracts; involuntary termination; leave (including family visits and medical treatment); freedom of movement during the work term and departure terms within crew member contracts.

### **3.10 Debt bondage**

Deductions for costs of work from pay can cause debt bondage and put crew at risk of forced labour. Examples of such work costs include costs of getting to work, placement/broker fee, medical costs, safety gear, food at the workplace, remittance fees and repatriation costs.

Describe systems in place to avoid debt bondage. If there is evidence of systemic practices to impose costs on workers, what measures are in place to avoid debt bondage.

### **3.11 Grievance and remedy mechanisms**

Provide a description of systems known to be in place that allow crew to share information, access assistance and report labour violations and how the systems work to address such reports and provide remediation.

### **3.12 Identification documents**

Describe provisions across the UoC for crew to access their official identification (passports, visas, seafarers book). Where the law in a jurisdiction requires the vessel owner or captain to hold the crew members' official identification, describe the protocol, including government regulations in place to ensure that crew members can access their personal documents and have freedom of movement.

## 4 Template information and copyright

This document was drafted using the 'Certificate Holder Forced and Child Labour Policies, Practices and Measures Template v1.0'.

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### Template version control

Version	Date of publication	Description of amendment
1.0	17 December 2018	Release alongside Fisheries Certification Process v2.1

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