

Luxembourg, 10 March 2004

## **CIRCULAIRE CAM 04/2004**

**To: All accredited shipping managers**

N/Réf. : JB/37049

**Subject : Grand-Duchy regulation of November 11 transposing directive 1999/95 of the European Parliament and of the European Council of December 13, 1999 concerning the application of the rules covering the length of working periods of seafarers calling at ports of the European Community**

Dear Sirs,

Following circular CAM 04/2003 mentioned above, I enclose the regulation transposing EC Directive 1999/95 in Luxembourg national law.

May I remind you that this regulation implements a yearly random check for every vessel of the working hours register for which the Commissioner for maritime affairs will request extracts. This control will occur at the latest upon registration renewal; the commissioner will take the appropriate measures if irregularities are discovered. If necessary, on board verification can be organised, in conformity with title 2 of the amended maritime act of 9<sup>th</sup> November 1990. The working hours register must be kept on board for at least one year for control purposes and must be held in the ship's working language and in English.

All owners, charterers, managers of the Luxembourg flagged vessel or any person designated as such on the vessel's registration form is responsible for the organisation of the ship's working hours in conformity with EC Directive 1995/63/CE.

May I also remind you that article 3 of the regulation states that the master must hold a working hours or a resting hours register which has to be in conformity with the model annexed to the regulation or an equivalent model.

In case you haven't yet introduced for the vessels you are managing a request of approbation for the register model, as defined in the mentioned directive and regulation, I invite you to do so without delay. The treatment of these approbation is being done by ship and not by company, therefore I remind you of the necessity to introduce a separate request of approbation for each of your vessels.

I also take this opportunity to remind you that these procedures go beyond Flag State competencies and fall also within the scope of Port State Control inspections (cf. Reg. 28/11/2003 transposing EC Directive 2001/106/CE).

Yours sincerely.



(s) Marc GLODT  
Commissaire du Gouvernement  
aux affaires maritimes