



TP 15238E
(10/2025)

Seafarer recruitment and placement service licensing standard and guide



<p>Responsible Authority</p> <p>The Seafarer Certification Branch (AMSP) is responsible for this document, including any change, correction, or update.</p>	<p>Approval</p> <p>Murphy, Julia</p> <p>Digitally signed by Murphy, Julia DN: C=CA, O=GC, OU=TC-TC, CN="Murphy, Julia" Reason: I am approving this document with my legally binding signature Location: Date: 2025.11.05 15:12:07-05'00' Foxit PDF Editor Version: 13.1.7</p> <hr/> <p>Julia Murphy Director, Seafarer Certification Marine Safety and Security</p> <p>Date of signature: November 5, 2025</p>
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Summary

The International Labour Organization adopted the *Maritime Labour Convention, 2006* (convention) in February 2006. The convention requires that seafarers have access to an efficient and well-regulated seafarer recruitment and placement system.

The *Marine Personnel Regulations* (MPR) require any person operating a seafarer recruitment and placement service in Canada to hold a Seafarer Recruitment and Placement Service (SRPS) licence issued by Transport Canada (TC).

SRPS licensing applies to all SRPS responsible for recruiting and placing seafarers for work on Canadian vessels, including fishing vessels on a near coastal voyage, Class 1 or an unlimited voyage, or foreign vessels.

The SRPS licensing process has the following steps:

1. The licence application and essential documentation are submitted to TC, which reviews and audits the submitted information against the licence requirements.
2. If TC's audit finds all the requirements of the MPR are met, the applicant will be issued a one-year SRPS licence. If the licence requirements are not met, TC will respond to the applicant outlining any non-conformities and recommend how to meet those requirements.
3. Before the one-year SRPS licence expires, TC will initiate an implementation audit. TC will conduct the audit at the applicant's headquarters or location responsible for recruitment and placement activities.
4. After the implementation audit, TC will provide an audit report to the applicant. If applicable, TC will also issue a corrective action plan.
5. Once the applicant meets the requirements of the corrective action plan, TC will issue a 5-year SRPS licence. If the applicant fails to meet the requirements of the corrective action plan, TC will revoke their one-year SRPS licence.
6. Throughout the duration of the 5-year SRPS licence, TC will conduct annual reviews of the licensee's SRPS operations.

Background and scope

Background

The MLC, 2006 requires that seafarers have access to an efficient and well-regulated seafarer recruitment and placement system. Canada ratified the convention on June 15, 2010.

The MPR requires anyone operating a SRPS in Canada to have a valid SRPS Licence from TC. For these regulations, SRPS means a company, based in Canada or holding a Canadian issued business licence, that applies for or holds a valid SRPS Licence.

This SRPS Licencing Standard and Guide replaces the Certification Guide for Seafarer Recruitment and Placement Service Providers, TP 15238E.

Purpose

This document provides SRPS licence applicants and licensees with the background, expectations, and processes for SRPS licence application, retention, and renewal.

Scope

This guide applies to all SRPS responsible for recruiting and placing seafarers in Canada on Canadian vessels, including fishing vessels on a near coastal voyage, Class 1 or an unlimited voyage, or foreign vessels.

This standard does not apply to a SRPS operated by a trade union that has been certified under the Canada Labour Code by the Canada Industrial Relations Board.

Licensing process

1. Seafarer recruitment and placement service licence

- 1.1. A SRPS that complies with the requirements of the *Canada Shipping Act, 2001* (CSA 2001), MPR, and MLC, 2006 is eligible for a SRPS licence.
- 1.2. The licence may be valid for up to 5 years. The SRPS must comply with the requirements of licence application and ongoing licence maintenance for the licence to be issued and stay valid.

2. Licensing determination

- 2.1. A Canadian company needs a SRPS license to recruit and place seafarers for work on Canadian and foreign flagged vessels, including fishing vessels on a near coastal voyage, Class 1 or an unlimited voyage, or foreign vessels.
- 2.2. Other considerations that determine licence requirements or eligibility include:
 - 2.2.1. The ownership structure and operations of the recruiting and placement company
 - 2.2.2. The ownership structure, and management arrangements of the vessels where seafarers will be placed
 - 2.2.3. The type of voyages and operations of the vessels where seafarers will be placed
 - 2.2.4. The organizational relationship between the licence applicant, vessel owners and authorized representatives
 - 2.2.5. The flag state of the vessels where seafarers will be placed, and their status respective of MLC, 2006.

3. Foreign based and owned SRPS

- 3.1. Foreign based SRPS or SRPS licence applicants may apply for a TC issued SRPS licence under the following conditions:
 - 3.1.1. They must have a Canadian federal, provincial, or territorial issued business licence or certification of incorporation
 - 3.1.2. They must meet the SRPS licence application requirements in the MPR
 - 3.1.3. The applicant's existing SRPS licence, issued by another competent authority, will not be recognized as a Canadian equivalency, but will be considered in the application process.

4. Categories of seafarers

4.1. The MPR defines seafarers as “a person who is employed or is to be employed in any capacity on board a vessel.” For SRPS, this includes two broad categories of seafarers:

4.1.1. Those responsible for the vessel’s safe navigation and pollution control prevention operations that are appropriately trained and certified, including the master, officers, engineers, and deck hands

4.1.2. Other seafarers that provide services on board the vessel, such as cooks, stewards, or medical staff.

5. Applications for Canadian endorsements – Foreign seafarers

5.1. SRPS must follow the Canadian endorsement process when recruiting foreign seafarers seeking to exercise the privileges of a foreign issued STCW certificate. This includes verifying the seafarer’s certificate of competency, certificates of proficiency, and medical certificate issued by Canada, or a state Canada has a reciprocal arrangement with, as required for the seafarer’s position and duties on board the vessel.

5.2. A valid ship’s cook certificate issued as per the MLC, 2006 by a state Canada has a reciprocal arrangement with would be recognized.

5.3. A confirmation of receipt of application is a temporary document for foreign seafarers indicating that TC has validated the authenticity of the foreign certificate. It can only be used on the vessel named on the document.

5.4. If the Canadian vessel is anchored in port or security moored to the shore, the seafarer must still possess a Canadian endorsement to comply with Division 5 of Part 2 of the MPR.

5.5. The SRPS must follow the Canadian endorsement process in collaboration with the appropriate authorized representative.

6. Unlicensed Seafarer Recruitment and Placement Services

6.1. Individuals or companies that operate a SRPS in Canada without a valid SRPS licence issued by TC violate ss.304(1) of the MPR.

6.1.1. This section states, “No person shall operate a Seafarer Recruitment and Placement Service unless they hold a Seafarer Recruitment and Placement Service Licence issued by the Minister.”

6.1.2. This section is designated as a violation under the *Administrative Monetary Penalties and Notices (CSA 2001) Regulations* (see item 100 of Part 5 in the Schedule of those regulations).

6.2. The range of penalties for violating 304(1) of the MPR is \$6,000 to \$25,000.

7. Licence application and maintenance process

7.1. The SRPS licence application process has two distinct parts, then a continuous quality management process:

7.1.1. The application submission, including relevant documentation and the initial review and audit by TC. If all requirements are met, a one-year SRPS licence is issued after this phase.

7.1.2. An implementation audit by TC of the one-year SRPS licence holder and follow-on activities, including the SRPS licensee, submitting a corrective action plan addressing findings from the implementation audit. If all requirements are met, a 5-year SRPS licence is issued.

7.1.3. Annual reviews by TC of licensed SRPS that verify the conditions of the licence are being maintained.

8. Initial application submission

8.1. TC will assess a licence application once we receive the completed application documents. The application must include the following documents:

8.1.1. Application for a SRPS licence, TC form # 82-0714E (English) available at <http://wwwapps.tc.gc.ca/Corp-Serv-Gen/5/Forms-Formulaire/searchrs.aspx?formnumber=82-0714E>.

8.1.2. A valid copy of the SRPS's business licence or certificate of incorporation, issued by the applicable provincial, territorial, or federal government organization.

8.1.3. Signed declaration of compliance with Part 1 of the *Personal Information Protection and Electronic Documents Act* (PIPEDA).

8.1.4. Completed check list and schedule of the 10 principles of Schedule 1 of PIPEDA.

8.1.5. The identification of SRPS supervisory staff (the personnel responsible for all aspects of SRPS) and their valid certifications, qualifications, and training (including knowledge of the MLC, 2006).

8.1.6. Quality management systems (QMS) documentation relevant to SRPS.

- 8.1.7. An approved/signed SRPS QMS policy statement.
- 8.1.8. A copy of a seafarer contract of employment, including the current seafarer agreements being used by the SRPS (if applicable)
- 8.1.9. Documentation describing the SRPS organization
- 8.1.10. The applicant's seafarer screening and approval processes
- 8.1.11. Example of the SRPS vessel register
- 8.1.12. Example of the SRPS seafarer register
- 8.1.13. Valid certificate of insurance, including relevant and terms and conditions
- 8.1.14. A documented seafarers' complaints process.

9. Implementation audit requirements

9.1. TC conducts implementation audits at the licensed SRPS headquarters. This is an essential step to verify compliance for issuing a 5-year SRPS Licence.

9.2. The implementation audit is to:

- 9.2.1. Verify conformity between the QMS and supplied documentation
- 9.2.2. Verify ongoing compliance with the national and international standards and requirements towards a SRPS licence from TC
- 9.2.3. Ensure that feedback and other mechanisms are being used to achieve continuous improvement.

9.3. The scope of the implementation audit includes:

- 9.3.1. Compliance with 306 (1) (d) of the MPR
- 9.3.2. QMS, related policies and procedures for SRPS
- 9.3.3. PIPEDA policies, procedures, and instructions
- 9.3.4. Qualifications and training of supervisory staff
- 9.3.5. The SRPS seafarer hiring, screening and placement processes
- 9.3.6. Seafarer register
- 9.3.7. Vessel register
- 9.3.8. Seafarers' complaints process, including SRPS response and monitoring
- 9.3.9. SRPS means including insurance and financial security
- 9.3.10. Existing management of seafarer collective agreements (if applicable)
- 9.3.11. Seafarer employment agreements under MPR 306 (1)
- 9.3.12. Internal audit processes and reporting.

10. Annual license review process

10.1. TC will conduct an annual review of SRPS that have been issued a 5-year SRPS license each year to verify:

- 10.1.1. Accuracy of SRPS information, including addresses and contact information

- 10.1.2. Recording changes to the licensee's business operations and its impact on the SRPS, including the number and type seafarers being recruited or placed
- 10.1.3. Changes to SRPS supervisory staff, including their credentials and knowledge of MLC, 2006 (if applicable)
- 10.1.4. SRPS related insurance and financial means
- 10.1.5. Changes to the licensee's QMS, polices or procedure
- 10.1.6. Nature and number of unresolved seafarer complaints, and how they have been managed (if applicable).

10.2. An annual review will normally be conducted during the second, third, and fourth year of a 5-year SRPS licence.

10.3. TC may use the annual review process to address specific conditions of an existing SRPS licensee.

11. Issuing a subsequent 5-Year SRPS Licence

11.1. The process for issuing a subsequent 5-year SRPS licence is the same as the process for the first 5-year licence, including an implementation audit.

12. Internal audit requirements

12.1. TC recommends a SRPS licensee with a 5-year SRPS licence conduct an internal audit of its SRPS activities, focussing on its QMS. This audit should be completed by the three-year point of the existing SRPS licence.

12.2. The three-year audit should be conducted by personnel who are independent of the SRPS activities and who are not supervisory staff.

12.3. The SRPS licensee should:

12.3.1. Provide the findings of the internal audit to all personnel responsible for audited activities

12.3.2. Present findings to key decision makers to address any non-conformities.

12.3.3. Take timely corrective actions based on the audit findings.\

12.3.4. Develop and implement documented processes that formalize audit activities

12.3.5. Internal audit results will be requested by TC during subsequent 5-year SRPS licence implementation audits.

13. Termination of licences

13.1. Under section 20 of the CSA 2001, TC reserves the right to suspend, cancel or refuse to renew a SRPS licence for failing to comply with licensing requirements or maintain specific licensing conditions.

14. Information and documentation

- 14.1. All information SRPS licence applicants and licensees provide to TC will be managed, stored, and protected according to Government of Canada legislation, policies, and standards.

Licensing components

15. Quality management systems

- 15.1. A QMS is a formalized system that documents processes, procedures, and responsibilities for achieving quality policies and objectives. A QMS helps coordinate and direct a licensee's SRPS activities to meet operational requirements and continuously improve its effectiveness and efficiency.
- 15.2. A QMS for SRPS activities should include:
- 15.2.1. Purpose, objective and scope of the QMS
 - 15.2.2. SRPS quality policy / policy statement
 - 15.2.3. QMS practices
 - 15.2.4. SRPS roles and responsibilities
 - 15.2.5. SRPS recruitment process
 - 15.2.6. Qualifications and training for supervisory staff
 - 15.2.7. Records and verification process that ensures recruited seafarers have the necessary certificates, qualifications, and training
 - 15.2.8. Articles of agreement – Seafarer employment agreement (SEA)
 - 15.2.9. Seafarer register
 - 15.2.10. Vessel register
 - 15.2.11. Repatriation insurance and financial means to support seafarers
 - 15.2.12. Complaints procedures
 - 15.2.13. Audit processes
 - 15.2.14. Information privacy and protection (*Personal Information and Electronic Documents Act*)
 - 15.2.15. Annexes or appendices supporting the QMS.
- 15.3. Included as Annex C is QMS guidance and a template with more information for a QMS for a SRPS.

16. Credentials of supervisory staff

- 16.1. A SRPS licence applicant's staff who supervise recruitment and placement services for a vessel's crew responsible for safe navigation must have the training and knowledge described in paragraph 1(f) of Guideline B1.4.1 of the MLC, 2006.
- 16.2. Supervisory staff who supervise and recruit seafarers who aren't responsible for safe navigation and pollution prevention must have knowledge of MLC, 2006. This is normally shown through documented training and awareness.
- 16.3. As part of the SRPS licence application process, TC will verify the credentials and knowledge of supervisory staff through a combination of records verification and interviews.

17. Qualifications of recruited and placed seafarers

- 17.1. The licensed SRPS must ensure all seafarers recruited and placed are qualified and possess valid documents for the position they're hired for. The SRPS licence applicant and licensee must keep accurate and available records of seafarer qualifications, including an up-to-date seafarer register.
- 17.2. If the SRPS recruit and place a foreign seafarer whose country has signed a reciprocal agreement with Canada, and is seeking an endorsement, they must follow TC's foreign endorsement process and work with the applicable authorized representative.

18. Seafarer contracts of employment

- 18.1. Licensees must make sure that each seafarer recruited or placed has agreed to and signed a contract of employment. They must make sure:
- 18.1.1. Every recruited or placed seafarer is informed of their rights and obligations under their contracts of employment.
 - 18.1.2. Every recruited seafarer receives a copy of their contract of employment
 - 18.1.3. Shipowners receive a copy of the seafarer's contract of employment.
 - 18.1.4. The seafarer has access to their contract of employment on board their vessel.
 - 18.1.5. Their contract of employment with the seafarer includes:
 - 18.1.5.1. Date and location where the contract of employment is signed
 - 18.1.5.2. The name, nationality, birthplace and date of birth or age of the seafarer
 - 18.1.5.3. The licensee's and shipowner's name and complete address
 - 18.1.5.4. The role the seafarer is to be employed in
 - 18.1.5.5. Wages and benefits of the seafarer
 - 18.1.5.6. Employment terms and conditions
 - 18.1.5.7. Seafarers leave entitlements
 - 18.1.5.8. Employment termination conditions.

19. Seafarer register

- 19.1. The licenced SRPS must keep a current and accurate register of all seafarers they recruit or place. They must at least include:
- 19.1.1. Seafarers' qualifications, certificates, and training including evidence of validity and restrictions (if applicable)
 - 19.1.2. Seafarers' records of employment
 - 19.1.3. Seafarers' personal data relevant to their employment
 - 19.1.4. Seafarers' medical data relevant to their employment, including validity and restrictions (if applicable)
 - 19.1.5. Job postings and work descriptions applicable to the seafarer's current employment.

- 19.2. The licenced SRPS must verify and document that:
 - 19.2.1. All seafarers recruited are qualified for the hired position by reviewing mandatory certificates and documents submitted as part of the recruitment process, making sure they are valid and have no evidence of fraudulence
 - 19.2.2. Seafarers' employment references
 - 19.2.3. Recruited seafarers have successfully completed training assuring personal safety on board their vessel
 - 19.2.4. Seafarers have a valid medical certificate.

20. Vessel register

- 20.1. The SRPS licensee must keep a current and accurate vessel register that includes:
 - 20.1.1. The vessel name, IMO number and flag state
 - 20.1.2. The name of the authorized representative, or in the case of a foreign flagged vessel, the name of the shipowner
 - 20.1.3. Accurate 24-hour emergency contact information.
- 20.2. SRPS licensees should access and maintain copies of vessel documentation for vessels seafarers are placed on, including vessel MLC certificates and Minimum Safe Manning Documents for Canadian Flagged vessels, and foreign flag state equivalent documents for foreign flagged vessels.

21. Seafarers' complaint procedures

- 21.1. Every SRPS licensee must examine and respond to any complaint concerning their activities. The licensee must have in place procedures that effectively manage and address seafarers' complaints, including:
 - 21.1.1. Identifying personnel responsible for managing seafarer complaints and clearly defining their individual responsibilities
 - 21.1.2. Receiving, documenting, and responding to complaints
 - 21.1.3. Maintaining records of complaints including responses and actions taken
 - 21.1.4. Timelines for complaint management and response
 - 21.1.5. Making seafarers are aware of their rights related to complaints and specific processes to follow
 - 21.1.6. The QMS documenting complaints procedures, including the licensee's collective and individual responsibilities
 - 21.1.7. Documented arrangements between the licensee and client (for example, the authorized representative or shipowner) for clear and coordinated complaints procedures (if applicable)

- 21.1.8. The QMS documenting the licensee's requirement to inform TC of all unresolved complaints
- 21.1.9. Unresolved complaints should be sent to TC by e-mail: MSS-SRPS-SRPGM-SSM@tc.gc.ca.

22. Protecting seafarers' personal information – Requirements of the *Personal Information and Electronic Documents Act*

- 22.1. Part 1 of PIPEDA, Protection of Personal Information in the Private Sector, applies to all personal information an organization collects, uses, or discloses during commercial activities.
- 22.2. A SRPS licence applicant must include documented personal information management practices that address the 10 principles of Schedule 1 of PIPEDA.
- 22.3. These include:
 - 22.3.1. Accountability
 - 22.3.2. Identifying purposes
 - 22.3.3. Consent
 - 22.3.4. Limiting collection
 - 22.3.5. Limiting use, disclosure, and retention
 - 22.3.6. Accuracy
 - 22.3.7. Safeguards
 - 22.3.8. Openness
 - 22.3.9. Individual access
 - 22.3.10. Challenging compliance.
- 22.4. The privacy officer or designated manager representing the SRPS licence applicant must sign and submit the PIPEDA declaration of compliance to TC.
- 22.5. The licence applicant should document the safeguards in place to protect the seafarers' personal information when placed on foreign flagged vessels. This should include references to the flag state's personal information privacy and protection laws and policies. Seafarers should be advised of any risks to their personal information because of placement on a foreign flagged vessel.

Guidance materials and resources

23. A series of SRPS guidance documents are included as annexes to assist the licence applicant. They include:

- 23.1. Quality Management Systems (QMS) Guidance,
- 23.2. Seafarer Agreements (SEA) Guidance, and
- 23.3. Implementation Audit Guidance for License Applicants.

24. Additional resources:

- 24.1. [Transport Canada SRPS web page](#)
- 24.2. [Canada Shipping Act, 2001](#)
- 24.3. [Marine Personnel Regulations](#)
- 24.4. [PIPEDA Self Assessment Tool](#)
- 24.5. [Maritime Labour Convention, 2006](#) .

Annexes

Annex A – Glossary of terms, definitions and abbreviations

Annex B – PIPEDA declaration of compliance

Annex C – Quality management systems guidance

Annex D – Seafarer agreements / contract of employment guidance

Annex E – Implementation audit guidance for licence applicants

Annex A

Glossary of terms, definitions and abbreviations

Audit. A systematic, independent, and documented process for obtaining and evaluating samples of objective evidence to determine the extent of which audit criteria are filled.

Authorized representative. For a Canadian vessel, the person referred to in subsection 14(1) of the *Canada Shipping Act, 2001*. For a foreign vessel, this is the master.

Best practice. An activity, process, or policy, normally a part of a SRPS applicant's Quality Management System, which is identified during the Implementation Audit and promotes the interests and well-being of seafarers.

Certification. The decision by TC that the SRPS management system meets the applicable requirements of TC's Guide for Certification of Seafarer Recruitment and Placement Service.

Competent authority. The minister, government department or other authority having power to make and enforce regulations, orders or other instructions. They have the force of law in respect of the subject matter of the provision concerned.

Corrective action plan (CAP). The corrective action plan is used by TC as part of its SRPS licence audit process. It is intended to verify additional evidence of compliance with applicable licensing requirements.

MLC, 2006. *Maritime Labour Convention, 2006*.

MPR. *Marine Personnel Regulations, SOR/2007-115*.

Observation. Observations are subjects and topics noted by TC relating to seafarer recruitment and placement that are either outside the scope of the audit, or the legislated and regulatory mandate of TC.

Non-conformity. An absence of evidence of compliance with the relevant SRPS legal requirements, after verification.

PIPEDA. The *Personal Information Protection and Electronic Documents Act, S.C. 2000, c. 5*.

Procedure. The specified way to carry out an activity or a process.

QMS. Quality management system. This may also encompass the quality management manual, quality management policy, and quality management processes.

SEA. Seafarer employment agreement(s). Also called contracts of employment.

Seafarer. A person who is employed or is to be employed in any role on board a vessel.

Seafarer Recruitment and Placement Service. Any person, company, institution, agency, or other organization, in the public or the private sector, which recruits seafarers on behalf of ship owners or places seafarers with ship owners.

SRPS. Seafarer recruitment and placement service.

Supervisory staff. In the context of SRPS, those employees who have a direct role in SRPS activities, including those who review and approve seafarer hiring.

TC. Transport Canada / Transport Canada Marine Safety and Security.

TP. TP15238E – Certification Guide for Seafarer Recruitment and Placement Service Providers.

Vessel. A boat, ship or craft designed, used or capable of being used solely or partly for navigation in, on, through or immediately above water, without regard to method or lack of propulsion. This includes a vessel that is under construction. It does not include a floating object of a prescribed class.

Management System. The interrelated or interacting processes used to direct and control a SRPS.

Requirement. Legally binding rules established under the MPR or MLC, 2006.

Annex B

**PIPEDA DECLARATION OF COMPLIANCE
for SRPS Licensing****Licensee**

Company Name

I declare that we have personal information management practices that address the ten (10) principles of Schedule 1 of PIPEDA.

Name (Printed): _____

Signature: _____

Date: _____

Position / Title

Transport Canada

Reviewed by (Printed): _____

Signature: _____

Date: _____

Approved by (Printed): _____

Signature (printed): _____

Annex C

Quality management systems (QMS) guidance**Purpose, objective and scope of the SRPS QMS**

Statement describing the purpose, objectives, and scope of the licensee's SRPS QMS.

SRPS quality policy / policy statement

- May be a separate document
- Includes intent of SRPS and principles applied, endorsed, and signed by the responsible management
- Indicates the company and senior management commitments to QMS and objectives of its SRPS
- Outlines licensee's commitment to the seafarer
- QMS demonstrates licensee's commitment to not using means, mechanisms, or lists to prevent or deter seafarers from gaining employment
- Policy indicates minimal age requirements for seafarer recruitment.

QMS practices

- Description of the QMS review and approval process
- Description of how QMS is made available to seafarers and supervisory staff
- QMS indicates communication with seafarers related to vessels that may have MLC 2006 certification compliance considerations, and whether the vessel's flag state has ratified MLC, 2006
- QMS indicates the licensee maintains awareness of those flag states that have not ratified MLC, 2006.

SRPS roles and responsibilities

- Identification and documentation of roles of all staff involved in SRPS
- Graphic or organization chart of the SRPS organization.

SRPS recruitment process

- Description of the hiring process, including all steps and specific supervisory staff involved in each step of the process
- Schematic of the hiring process including actions based on each screening and hiring step
- Describe the hiring functions:
 - advertisements
 - candidate applications and submissions
 - verification of candidate credentials / certificates
 - reference checks

- The QMS clearly describes the process for seafarer reference verifications
- Describe candidate interview processes
- Candidate orientation processes
- Boarding and placement process and steps
- Administrative arrangements applicable to hiring:
 - travel
 - protective and job specific equipment
 - finance and pay arrangements
- QMS indicates requirement to access and maintain current and valid documentation and certificates relevant to seafarers' qualifications and training.

SRPS supervisory staff qualifications and training

- Verification that supervisory staff must be qualified to hire seafarers
- Summary of training requirements
- Ongoing training.

Seafarer employment agreement (SEA) – contracts of employment

- SEA exists for each placed seafarer
- Procedures exist to make sure the authorized representative and/or ship owner have a system of protection, insurance, or equivalent measure to compensate seafarers in the event of monetary loss because the manning agency or ship owners fail to fulfill their obligations under the SEA
- SEA in accordance with applicable laws, regulations, and collective agreements
- Verification of Seafarers' understanding of their SEA
- Management of SEAs, including where copies are maintained.

Seafarer register

- Describe processes for developing and maintaining the seafarer register
- Describe all information contained in the seafarer register including mandatory information.

Vessel register

- Responsibilities and process for establishing and maintaining a vessel register
- Verify all mandatory information needed for the register.

Repatriation insurance and financial means supporting seafarers

- Description of the licensee's valid insurance coverage or other financial means in case seafarers are repatriated and their potential financial loss
- Insurance policies including terms and conditions
- Vessel specific insurance certificates and policies (P&I), (if applicable), including MLC, 2006 clauses and evidence of the licensee's inclusion of coverage.

Complaints procedures

- Describe seafarers' rights and licensee's obligations for complaints
- Describe the specific steps of the complaints procedures including:
 - method of reporting
 - specific responsibilities of individuals for managing complaints
 - continuity of the reporting chain
 - any specific means of reporting
 - response times to complaints
 - complaint escalation procedures
- Method for documenting and maintaining records of complaints
- Roles and responsibilities within the licensee's company for managing and responding to complaints
- Procedures for unresolved complaints and process for reporting to Transport Canada.

Audit processes

- Overview and objectives of the licensee's audit processes applicable to SRPS
- Include audit program (if applicable)
- Responsible individuals and organizations responsible for audits of SRPS activities and results
- Audit methodologies used
- Audit reporting processes
- Overall audit sequence of events
- Describe roles of those reviewing and responding to audit findings
- Describe how audit findings are presented to management and next steps, including documented decisions.

Information privacy and protection (*Personal Information and Electronic Documents Act*)

- Licensee's declaration of PIPEDA
- Licensee's privacy or information privacy policy
- Personal information is defined and described by the licensee
- Identification of personnel responsible for protecting seafarers' personal information, including collection, handling, storage, sharing and disposal
- Specific actions and processes meant to protect seafarers' personal information
- Personal information sharing processes
- Duration of retention of information
- Description of how all 10 principles in Schedule 1 of PIPEDA are addressed (may be a separate document / annex).

Annexes / appendix

- SRPS QMS policy statement
- Seafarer register
- Vessel register
- Information privacy policy statement
- Copy of the licensee's PIPEDA declaration of compliance
- QMS documentation amendments records
- Relevant certifications (for example, ISO) applicable to SRPS
- Copies of supervisory staff's certificates and qualifications relevant to SRPS requirements
- Licensee's audit program
- PIPEDA.

Annex D

Seafarer agreements / contracts of employment – Guidance

The following elements related to contracts of employment, or seafarer agreements, are assessed when determining a SRPS license application:

- The SEA exists for each placed seafarer
- The SEA contains seafarer’s full name, date of birth or age, and place of birth
- The SEA includes ship owner’s name and address
- The SEA includes the location and date where it was entered into effect
- The SEA includes the role the seafarer and description of the seafarer’s employment
- The SEA includes the seafarer’s wages, or formula used to calculate them
- The SEA includes the seafarer’s paid leave entitlement or formula to calculate leave
- The SEA contains employment termination conditions, including for:
 - indefinite employment
 - definite period
 - specific voyage(s)
- The seafarer is made aware of or provided a reference to the procedures that make sure the authorized representative or ship owner have a system of protection, insurance, or equivalent measure to compensate seafarers in the event of monetary loss because of the SRPS or ship owner’s failure to fulfill their obligations under the SEA
- The SEA follows applicable laws, regulations, and collective agreements
- Verification exists that seafarers understand their SEA
- Recruited or placed seafarers are informed of their rights and obligations under their SEA during the recruitment process
- Seafarers have the right and capacity to examine their SEA before and after acceptance
- The seafarer is provided a signed copy of the SEA
 - Seafarers are advised of any conditions applicable to the employment they will be engaged in and of the shipowner’s policies related to their employment
 - The seafarer is advised before accepting the SEA whether the flag state of the vessel on which they will be employed is not a signatory state of the *Maritime Labour Convention, 2006*.

Annex E

Implementation audit guidance for licence applicants

Purpose

This document is to assist seafarer recruitment and placement service (SRPS) licence applicants with background and guidance to prepare for Transport Canada Marine Safety and Security SRPS implementation audits.

As the competent authority, Transport Canada conducts implementation audits on site at a SRPS licensee's headquarters. This is an essential step for issuing a 5-year SRPS licence. Implementation audits are used for issuing a new 5-year SRPS licence and renewing an existing SRPS licence.

Core elements of the implementation audit

The core elements of the TC SRPS implementation audit are based on the requirements of the *Marine Personnel Regulations*, Part 3, Division 2 – Seafarer Recruitment and Placement Services, section 305. This includes:

- Credentials of SRPS supervisory staff
- Quality management systems (QMS), including policies and procedures
- Seafarer screening processes
- Seafarer and vessel registration
- Insurance and financial security

A more detailed list of audit elements is attached to help the SRPS license applicant prepare for the implementation audit.

Scope and conduct of the implementation audit

The implementation audit will normally include the following activities:

- An initial meeting between the SRPS license applicant and Transport Canada personnel
- Company orientation
- QMS review (policies, procedures, records, and work instructions)
- Audit of other pertinent documentation or information
- Staff interviews and discussions
- A closing meeting including a summary of findings and next steps.

Applicant's involvement

To ensure the audit is efficient and accurate, the SRPS licence applicant should make sure all key personnel are available for discussions with Transport Canada audit staff, including:

- Employees with recruitment responsibilities
- Managers responsible for quality assurance and employees familiar with the quality management system (QMS)
- Other employees responsible for supporting and administrating recruitment and placement processes.

The Transport Canada auditors will also require some logistical support, including:

- Access to all requested records and documents
- A secure room or work area to review documents and consult with the applicant's staff
- Internet access and power supply.

Audit schedule

An audit schedule will be created. The audit will normally take two to three days during normal business hours (for example, 9 am to 5 pm).

Reviewed documentation

Transport Canada will ask for and review a significant number of documents as part of the audit. As part of your company's SRPS application, you should be prepared to provide the following documentation to the auditors:

- declaration of compliance with PIPEDA
- credentials of supervisory staff, including applicable training related to MLC 2006, ISM and ISM standards, and harassment prevention
- QMS (most current and approved version), including related policies and procedures
- various policies, procedures or instructions relating to seafarers and seafarer recruitment
- copy of the QMS certificate in accordance with ISO 9001 (if applicable)

- access to records or data bases containing seafarers' information, including certifications and training
- an organizational chart that includes the SRPS organization and functions
- internal audit reports, in the case of a subsequent 5-year SRPS licence
- management review documentation
- valid insurance certificates and policies
- financial security contracts
- vessel specific insurance certificates (if applicable)
- current register of recruited seafarers
- seafarers' feedback/complaints register and monitoring system
- vessel register
- current contracts of employment and seafarer agreements
- Current collective agreements and the SRPS documented arrangements with trade unions relating to the recruitment and placement of seafarers
- Copies of supervisory staff resumes and certifications.

SRPS licence implementation audit components

This table includes components of the Implementation Audit conducted by Transport Canada, Marine Safety and Security.

Audit component	Specific elements
Quality Management Systems (QMS)	QMS Approval and amendment process exists
	QMS documents are ISO compliant (if applicable)
	QMS demonstrates applicant's commitment to not using means, mechanisms, or lists to prevent or deter seafarers from gaining employment
	QMS clearly indicates the SRPS will not charge fees to seafarers for recruitment and placement, other than those for medical certificates, records of sea service or passport and travel documentation
	Process exists to make sure employees, and when applicable, seafarers are aware of the QMS manual
	QMS indicates seafarer age requirements
	QMS indicates communication with seafarers related to vessels that may have MLC, 2006 certification compliance considerations, and whether the vessel's flag state has ratified MLC, 2006
	QMS manual is accessible to appropriate personnel, including seafarers, if applicable
	Procedures exist for establishing and maintaining a seafarer register
	Procedures exist for establishing and maintaining a vessel register
	Reference check processes for seafarers
	QMS indicates requirement for, and a process to access and maintain current and valid documentation and certificates relevant to seafarers' qualifications and training
	Seafarer complaints processes and record including company responses
	The QMS has an established notification process to advise TC and the authorized representative of unresolved complaints of incidents
	Financial means of the authorized representative, including assurance seafarers will be repatriated in the case of abandonment
Collective agreements	All agreements applicable to seafarers recruited and/or placed on vessels are available
	Agreements or contracts between the SRPS and trade unions for which they are recruiting and placing seafarers
Contracts of Employment:	SEA exists for each recruited and placed seafarer
	SEA include all information required in accordance with CSA, 2001, MPR and MLC, 2006

Audit component	Specific elements
Seafarer agreements (SEA)	The SEA allows for full, disclosed information applicable to the seafarer's terms of employment, rights and obligations and unique conditions of employment
	SEA follows applicable laws, regulations, and collective agreements
	Verification that seafarers understand their SEA
	Management process of SEA exists
PIPEDA	Verification Part 1 of the <i>Personal Information Protection and Electronics Documents Act</i> is complete
	All 10 principles are verified in practice, including documentation and processes
	Document establishment, handling, control, storage, and disposal processes
	Register and management of personal information
	Seafarers' personal information remediation process
	Third party sharing and protection processes and measures
Seafarer register	Current register
	Seafarers' qualifications and training, including restrictions
	Records of employment
	Seafarers' medical data
	Applicable job postings and qualifications
	Accuracy of seafarer registry
	Seafarer references and their verification
Vessel register	Current and accurate register of vessels where seafarers are placed
	Vessel name, IMO number, call sign, Flag state and authorized representative included
	24-hour contact information
Insurance	Current and valid insurance certificates
	Insurance policies including terms and conditions
	Vessel specific insurance certificates and policies
Qualifications and credentials of SRPS Supervisory Staff	Qualifications and currency of SRPS supervisory staff verified
	Training records of supervisory staff
	Supervisory staff demonstrate the minimum requirements of certification applicable to the seafarers being recruited and placed
	Supervisory staffs' credentials demonstrate knowledge of the <i>Canada Shipping Act, 2001, Marine Personnel Regulations and Maritime Labour Convention, 2006</i>
	A documented process exists that informs seafarers of their rights for complaints

Audit component	Specific elements
Seafarers' complaints procedures	A documented complaints process exists that includes reporting, responsibilities, accountability and follow-up
	Documentation exists that recognizes SRPS responsibility to report unresolved complaints to TC
SRPS audit processes	QMS describes the audit process for SRPS
	An audit process describes scope, frequency, review, approval, and response procedures, including individual responsibilities
	The audit process identifies individual responsibilities of key managers responding to audit findings