



### **Concentrated Inspection Campaign on the Maritime Labour Convention 2006**

The purpose of this notice is to advise shipowners, operators, managers and Masters of Isle of Man registered ships of information in respect of the forthcoming Port State Control activities

The Isle of Man Ship Registry wishes to give advance notice of CIC on the Maritime Labour Convention 2006 which is due to commence on the 1<sup>st</sup> September 2016 and will run until the 30<sup>th</sup> November 2016.

The CIC will be carried out by the Paris MoU Region. The main purpose of the CIC is to ensure that ship procedures and measures are in place with respect to MLC 2006 and these will be checked in detail for compliance with the requirements.

The campaign is designed to examine specific areas of shipboard operations and is not intended to detract from the normal coverage of Port State Control Inspections. The CIC will be undertaken on every ship eligible for inspection during the period of the campaign.

In carrying out the inspection Port State Control Officers (PSCOs) will be using a list of selected questions to ensure compliance. In particular those related amongst others to, seafarers documentation, verification of records of the crew accommodation, supplies of food and drinking water, medical care, health and safety, safety committee meetings, payment of wages and on board complaints procedures.

- Are seafarers under the age of 18 excluded from tasks that are likely to jeopardize their safety or health? Standard A.1.1. para. 4 (Deficiency Code 18101)
- Are all seafarers holding valid certificate(s) attesting medical fitness? Standard A 1.2. para.1 (Def. Code 18103)
- Have all seafarers successfully completed their training for personal safety on board? Regulation 1.3. para.2 (Def. Code 01219)
- Do all seafarers have a copy of their seafarers' employment agreement? Standard A.2.1. para 1(a) (Def. Code 01220)
- Are the seafarers' employment agreements in compliance with minimum standard required by MLC? Standard A 2.1. para.4 (Def. Code 01220)
- If private recruitment and placement service has been used, does it meet the requirements of the MLC 2006? Standard A 1.4. paras 2 and 9 (Def. Code 18104)

- Are records of inspections of seafarer accommodations carried out by the master (or another designated person) available for review? Standard A.3.1. para.18 (Def. Code 18328)
- Are frequent inspections carried out by or under the authority of the master, with respect to supplies of food and drinking water, all spaces and equipment used for the storage and handling of food and drinking water, and Galley and other equipment for the preparation and service of meals documented? Standard A.3.2. para.7 (Def. Code 18320)
- Has a ships safety committee been established on board regarding ships on which there are five or more seafarers? Standard A.4.3. para.2 (d) (Def. Code 18430)
- For a ship not being required to carry a medical doctor, is there on board at least one seafarer, holder of a certificate of training in medical first aid or in medical care that meets the requirements of STCW? Standard A.4.1. para.4(c) (Def. Code 18404)
- Are all seafarers provided with a copy of on-board complaint procedures applicable on the ship? Standard A.5.1.5. para.4 (Def. Code 01330)
- Have all seafarers received their monthly accounts of their payments due and amounts paid? Standard A.2.2. para.2 (Def. Code 18203)

## **Notes and Guidance on specific questions of CIC:-**

### **Question 1 – Seafarers under 18 years old;**

- For crew under the age of 18 years old attention must be given to planned work and conditions as far as night work being prohibited where applicable. Standard A.1.1.3. makes allowance for an exception in cases of effective training of a cadet, refer to (Maritime Labour Notice) MLN 1.1.
- Work schedule to determine hours of rest / work in accordance with regulations
- Type of work is not jeopardising the safety of seafarers under 18 years old

### **Question 2 – Medical Certificates;**

- Seafarers shall not work on ships unless they are certified as medically fit to perform their duties
- Crew list in compliance with actual seafarers present on board
- All crew members hold valid medical certificates, valid colour vision certificates where applicable
- Medical certificates valid for a maximum period of 2 years, unless seafarer under 18 years old max, one year, colour vision certificate valid for max of 6 years
- MLN 1.2

### **Question 3 – Crew Personal and Familiarisation Training;**

- All seafarers should have completed training in shipboard familiarisation and personal safety, this may mean the PSCO will verify all seafarers records where practicable given a ship's working arrangements, cargo operations, crew hours of rest / work etc.....
- Documentary evidence in shipboard personal training records
- Evidence of crew training material, documents, CBT and training videos etc.....

**Question 4.1. – Seafarers Employment Agreements;**

- All seafarers must have an original or copy of their SEA signed by both the seafarer and shipowner or his representative, (where not employees other evidence of contractual arrangements). Again the PSCO may verify all SEA records depending on the circumstances as stated above.
- MLN 2.1.

**Question 4.2. – SEA minimum standard required by MLC;**

- Refer to MLN 2.1. for the particulars contained within a SEA (Standard A2.1. of MLC Convention)
- Source of information, ship's crew list, an original or a copy of the seafarers SEA (or other evidence of contractual arrangement)
- DMLC Part I and Part II
- Collective bargaining agreement
- MLN 2.1.

**Question 5 – Private Recruitment and Placement Services;**

- Master should be able to answer in a simple way to clarify the situation and answer questions concerning private recruitment and placement services
- Does the ship use a private seafarer recruitment and placement service operating in a State for which the MLC 2006 is in force; if a shipowner has used a private seafarer recruitment and placement service from a State which has not ratified the MLC 2006 Convention, then is there documentation available to indicate that the shipowner has ensured, as far as possible, the service or manning agency is operated in accordance with MLC 2006
- Other evidence which shipowner could provide to the Master might be either by checklists or an audit report against the MLC requirements issued by a RO of a private seafarer recruitment and placement service based in a country that has not ratified the MLC 2006
- DMLC Part I and Part III and MLN 1.4.

**Question 6 – Records of inspection of the Crew Accommodation;**

- Frequent inspections are required to be carried out on board, by or under the authority of the ship's Master or another designated person
- Should ensure that all crew accommodation areas are clean, tidy, habitable and maintain in good order
- Results of inspections should be recorded; eg. Official Log Book. Records should be available for review
- MLN 3.1.

**Question 7 – Records of inspection of supplies of Food and Drinking Water;**

- Frequent inspections are required to be carried out and records maintained eg. Official Log Book
- Supplies of food and drinking water
- Spaces used for handling and storage of food, drinking water
- Galley, pantry areas, and equipment used in the preparation of food and serving of meals
- Dry provision stores and fridges, storage and temperature control
- Drinking water quality, testing and records
- MLN 3.2.

**Question 8 – Ship’s Safety Committee Meetings;**

- Confirmation a ship’s safety committee has been established on board, crew representatives duly elected
- Relevant documents are available for inspection, safety committee meeting records, occupational health and safety inspection records, occupational accident reports, etc.....
- DMLC Part I reflecting how MLC Standard A.4.3. para. 2d is introduced into national requirements, and the relevant parts of DLMC Part II explaining how the aforementioned standard is applied by the Company and the ship
- MLNs 4.3A., 4.3B., 4.3C., 4.3D., and 4.3E.

**Question 9 – Provision of Medical Care on board ship;**

- For a ship not required to carry a medical doctor, is there on board at least one seafarer appointed to be in charge of medical care or designated to provide medical first aid
- The seafarer in charge of medical care has completed the relevant training and certification according to STCW
- MLN 4.1.

**Question 10 – On board complaints procedure;**

- Confirm there is an on board complaints procedure on the ship
- That a copy of the on board complaints procedure has been provided to each seafarer on board
- The contents of the complaints procedure should include inter alia; contact information for the competent authority in the flag state, where different, in the seafarers country of residence, the name of a person or persons on board who can on a confidential basis, provide seafarers with impartial advice on their complaint and otherwise assist them in following the complaints procedures available to them on board the ship
- Safeguards against victimisation and the ability of a seafarer to complain directly to the ship’s Master or to an external authority
- MLN 5.1.5. and MLN 4.4.

**Question 11 – Monthly wage accounts;**

- Confirm all seafarers have been given a monthly account of the payments due and the amounts paid, including wages, additional payments, eg overtime, bonuses etc..... and the rate of exchange used where payments has been made in a currency or a rate different from the one agreed to
- Payroll records, SEA documentation, to ensure wages are paid at regular intervals, no greater than one month as specified on SEA or within CBA
- Copies of individual wage account records to be available
- MLN 2.2.

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