

Isle of Man Ship Registry

Maritime Labour Convention Annual Report

2021

**Isle of Man Government
Department for Enterprise**



**Isle of Man
Government**

Reiltys Ellan Vannin



Executive Summary

- No changes to MLC regulations were made and 1 Maritime Labour Notice was amended in 2021.
- 273 inspections (129 MLC and 144 Flag GI) of Isle of Man registered ships were conducted worldwide by IOMSR or Classification society inspectors. Of the deficiencies issued to ships the biggest source of MLC related deficiencies was Health, Safety and Accident Prevention accounting for 44% of all MLC related deficiencies raised.
- 9 recruitment and placement companies were audited on the Isle of Man by the Isle of Man Ship Registry in 2021, all with no deficiencies.
- The biggest source of seafarer complaints referred to the Isle of Man Ship Registry related to SEAs, Repatriation and Leave (DMLC section 4).
- Of the inspections conducted by Port State Control authorities worldwide 89% resulted in no MLC related deficiencies or detentions. Of the deficiencies raised, 51% related to issues concerning health & safety and accident prevention.
- In 2021, there were 2 fatalities, 12 serious injuries and 6 minor injuries relating to MLC seafarers reported to IOMSR. Mooring activities incurred the most injuries followed closely by moving about the ship.
- No accidents were reported and no complaints were received from foreign flagged ships in Isle of Man territorial waters in 2021.

This report covers the calendar year from 1st January 2021 to 31st December 2021.

If you have any questions concerning the Isle of Man's implementation of MLC or feedback surrounding this report please contact us at any of the following or the address given below:-

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1. Isle of Man MLC Regulations, Guidance and Amendments

The Maritime Labour Convention (MLC) was implemented for Isle of Man ships by the [Merchant Shipping \(Maritime Labour Convention\) Regulations 2013 \(SD 234/2013\)](#) on the 20th August 2013.

The Regulations follow the order and structure of the MLC and apply to all Manx commercial ships trading internationally. The Regulations also apply MLC 5.2.1 (Inspections in port) and MLC 5.2.2 (Onshore seafarer complaint handling procedures) to foreign ships calling into a port in the Isle of Man in the normal course of their business or for operational reasons. Isle of Man MLC inspections on foreign flagged ships in Isle of Man waters came into effect on 7th August 2014 as per SD 234/13 Regulation 3(2).

In addition to the requirements for shipowners, the Regulations apply MLC 1.4 (Recruitment and placement) to any private seafarer recruitment and placement service operating on the Isle of Man. These services must operate in accordance with the requirements of the Regulations and are subject to inspection and certification for compliance.

Where the Regulations set out a standard to be achieved with no specific method of compliance, guidance on how to achieve compliance can be found in the associated **Maritime Labour Notice (MLN)**. If a standard is implemented in accordance with the provisions of the MLN, this is accepted as evidence of compliance with the Regulations. Alternative methods of compliance to those set out in the MLN will be considered on a case by case basis by the Isle of Man Ship Registry.

Shipowners must ensure ships are constructed, equipped and operated in accordance with the requirements of the MLC Regulations and MLNs and that each seafarer enjoys all the rights conferred. The Isle of Man regulation and MLN specific to each MLC standard are stated on the ship's Isle of Man Declaration of Maritime Labour Compliance Part 1.

Other Isle of Man Regulations concerning MLC Requirements are listed below:

- [Medical Stores \(SD2015/0055\)](#);
- [Accident Reporting and Investigation \(SD 815/01\)](#);
- [Safety Official General Duties and Protective Equipment \(SD816/01\)](#);
- [Manning and STCW \(SD 2014/0238\)](#);
- [Crew Accommodation \(SI 1978/795\)](#);
- [Maintenance of Seamen's Dependents \(SI 1972/1635\)](#);
- [Provisions and Water \(GC 34/90\)](#);
- [Official Log Books and List of Crew \(SD2015/0387\)](#).

Amendments to the Isle of Man MLC Regulations that came into effect in 2021

- None

Amendments to MLNs that came into effect in 2021

The latest MLNs as of 31st December 2021 are listed below (amended in 2021):

MLN Number	MLN Title	Date Last Amended	Latest Revision
MLN 001	Index of MLNs	Mar 19	Rev 11
MLN 1.1	Young Persons	Aug 12	Rev 1
MLN 1.2	Medical Certificates	Mar 19	Rev 3
MLN 1.3	Training and Qualifications	Jan 15	Rev 1
MLN 1.4	Recruitment and Placement	Aug 12	Rev 0
MLN 1.4.8	Possible Problems Signing on a non MLC Ship	Aug 12	Rev 0
MLN 2.1	Seafarer's Employment Agreements & Record of Sea Service	Mar 19	Rev 6
MLN 2.2	Seafarer's Wages	Feb 13	Rev 1
MLN 2.3	Hours of Work and Hours of Rest	Apr 13	Rev 3
MLN 2.4	Entitlement to Leave	Feb 13	Rev 2
MLN 2.5	Repatriation	Apr 13	Rev 1
MLN 2.6	Seafarer's Compensation for the Ship's Loss or Foundering	Oct 12	Rev 3
MLN 3.1	Accommodation & Recreational facilities	Apr 13	Rev 2
MLN 3.2	Food and Catering	Feb 12	Rev 0
MLN 4.1	Medical Care on Board Ship and Ashore	Jun 21	Rev 4
MLN 4.2	Shipowner's Liability	Nov 12	Rev 4
MLN 4.3a	Health & Safety Policies	Aug 12	Rev 0
MLN 4.3b	Health & Safety - Vibration	Aug 12	Rev 0
MLN 4.3c	Health & Safety - Noise	Sept 12	Rev 0
MLN 4.3d	Health & Safety - Chemicals	Sept 12	Rev 0
MLN 4.3e	Reporting Accidents, Incidents & Diseases	Oct 12	Rev 0
MLN 4.4	Access to Shore Based Welfare Facilities	Mar 12	Rev 0
MLN 5.1.3	Certification, Inspection and Enforcement	May 20	Rev 3
MLN 5.1.4	Certification, Inspection and Enforcement	May 20	Rev 2
MLN 5.1.5	On board Complaint Procedures	Jan 19	Rev 0
MLN 6.0	Amendments to DMLC Part II and SEA	Jan 14	Rev 0
MLN 7	MLC Amendments – Financial Security	Dec 16	Rev 11

MLNs withdrawn:

None.

2. Isle of Man System of Inspection

For Isle of Man registered ships to which the Maritime Labour Convention 2006 (MLC) applies, the Isle of Man Ship Registry (IOMSR) is the "Competent Authority" as defined in Article II(a) of the MLC and is responsible for implementing the Isle of Man's obligations under the MLC. The IOMSR is a Division of the Isle of Man Government's Department for Enterprise.

The IOMSR issues and approves Declaration of Maritime Labour Compliance (DMLC) Parts 1 and 2 for all types of ships as prescribed by MLC A5.1.3/10. The IOMSR is responsible for ensuring MLC inspections for all ships are carried out at appropriate intervals not exceeding 3 years in compliance with MLC A5.1.4/4.

The IOMSR has also delegated specified Classification Societies¹ (MLC A5.1.2) to conduct MLC inspections on cargo ships and issue MLC Certification on behalf of IOMSR. Classification Societies may only issue an MLC certificate and not a Declaration of Maritime Labour Compliance Parts 1 and 2.

MLC inspections are conducted by trained IOMSR Surveyors or Classification Society MLC Inspectors who fulfil the requirement of "inspector" prescribed by MLC A5.1.4/7.

In accordance with the MLC Regulations the following inspections are carried out:

- Inspections in order to certificate Isle of Man registered ships of 500GT or over operating commercially engaged in international voyages pursuant to the requirement of MLC A5.1.3/6 and MLC A5.1.3/8.
- Inspections of ships less than 500GT operating commercially.
- Inspections in order to certificate recruitment and placement services based in the Isle of Man pursuant to the requirement of MLC 1.4/2.
- Inspections, by IOMSR surveyors only, may also be carried out at any time under the following circumstances:-
 - Isle of Man registered ships worldwide to which the MLC applies where a complaint has been made.
 - Foreign flag ships to which the MLC applies in Isle of Man waters subject to a Port State Control (PSC) inspection (MLC 5.2.1).
 - Foreign flag ships to which the MLC applies in Isle of Man waters where a complaint has been made (MLC 5.2.2).

In addition to MLC Inspections, Isle of Man surveyors also attend cargo ships at intervals not exceeding 3 years for a 'Flag State General Inspection'. Flag State General Inspections include MLC related items as part of the inspection.

The IOMSR and Classification Societies utilise computerised reporting and filing systems covering a range of ship certification and inspections, which includes MLC inspections. This enhances the ability to plan forthcoming inspections, monitor any MLC deficiencies raised during inspections and record the final inspection reports. All MLC inspection reports issued by a Classification Society are sent to IOMSR and reviewed. The computerised reporting and filing system at IOMSR fulfils the requirement for maintaining records of inspections as required by MLC A5.1.4/13.

¹ Recognised Organisations stated in [Manx Shipping Notice 020](#).

3. Ships and Companies Inspected

3.1 Isle of Man Registered Ships

MLC Inspections are required in accordance with MLC A5.1.3. MLC inspections are carried out by inspectors from either IOMSR or a Recognised Organisation (Classification Society).

Flag State General Inspections (Flag GI) of ships and yachts are carried out in addition to MLC inspections at intervals not exceeding 36 months by IOMSR surveyors and cover a variety of inspection items, including items covered under the MLC.

A record of MLC and Flag GI inspections for commercial ships and yachts in 2021 and any MLC related deficiencies raised is as follows:

Type of inspection:	MLC	Flag GI	Total
Number of inspections:	129	144	273
Ships with no MLC deficiencies:	122	110	232
Ships with MLC deficiencies:	7	34	41
MLC Deficiencies raised:	12	50	62
0. MLC certification and documentation		2	2
1. Minimum Age		1	1
2. Medical Certificates	1		1
3. Qualification of Seafarers	1	3	4
4. Seafarer Employment Agreements	4	9	13
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service	1		1
6. Hours of Work and Rest		1	1
7. Manning Levels for the Ship		1	1
8. Accommodation			
9. On Board Recreational Facilities			
10. Food and Catering	2	4	6
11. Health and Safety and Accident Prevention	2	25	27
12. On Board Medical Care		3	3
13. On Board Complaint Procedures	1	1	2
14. Payment of Wages			
15. Financial Security for Repatriation			
16. Financial Security for Ship-owner's Liability			

Please note that on some ships more than one deficiency may have been issued to the same ship. All deficiencies are to be rectified to the satisfaction of the attending inspector.

3.2 Isle of Man MLC Licensed Companies (Recruitment and Placement Services)

Isle of Man Companies	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Companies with deficiencies	0	0	0	0	0
Companies with no deficiencies	1	4	3	1	9
Total companies inspected	1	4	3	1	9

4. Seafarers subject to Isle of Man Legislation

A summary of the deficiencies found in MLC areas relating to seafarers follow below:

Seafarer Minimum Age

- No risk assessment for person working on board under the age of 18

Seafarer Medical Certificates

- Medical certification system had been updated on board but the change was not reflected in DMLC

Seafarer Qualifications

- Chief Engineer familiarisation form not available on board
- Original crew certificates not available on board
- Missing IOM endorsement
- No ECDIS certification

Seafarer SEAs

- SEA did not include 2018 amendments concerning captivity
- Ranks found on SEA that were not present in ITF/CBA
- SEA had expired
- Seafarer had completed more than 11 months on board
- No English translation accompanying SEA

Seafarer Hours of Work and Rest

- Watch schedule not posted on board

4.1 IOM STCW Endorsements

The following table shows Isle of Man STCW endorsements issued in 2021.

STCW ref	Capacity	Q1	Q2	Q3	Q4	Total
II / 2	Master	165	155	184	168	672
II / 2	Ch. Officer	70	96	81	101	348
II / 1	OOW Nav.	155	136	179	130	600
III / 2	Ch. Eng.	138	170	151	167	626
III / 2	2 nd Eng.	74	87	86	79	326
III / 1	OOW Eng.	134	148	145	131	558
III / 6	ETO	66	70	100	52	288
	Total	802	862	926	828	3418

For a list of all the countries that are currently recognised by IOMSR for the issue of Isle of Man endorsements please refer to [MSN 051 – Isle of Man Endorsement Application Process](#).

4.2 Seafarer Complaints

All seafarers must be provided with information concerning the ship's on-board complaints procedure as prescribed by MLC A5.1.5/4.

Deficiencies concerning the on-board complaints procedure in 2021 included:

- Information provided to crew did not provide sufficient detail of correct procedure to follow
- Crew not familiar with complaints procedure upon questioning

In addition to the on-board compliant procedure a seafarer has the right to bring their complaint directly to IOMSR. **All complaints received by IOMSR are treated in confidence.**

A summary of complaints received in 2021 from seafarers serving on Isle of Man ships and investigated by IOMSR (MLC A5.1.5/2) is as follows:

Type of Ship	Related to DMLC Section									
	2	3	4	6	9	10	11	12	13	14
Commercial Yacht			1					1		1
Other Cargo Ship			2							
Total			3					1		1

Complaints received from seafarers on foreign flag ships in Isle of Man waters – MLC A5.2.2:

- None

5. Violations of Legislation, Penalties Imposed and Cases of Ship Detention

5.1 Foreign Flagged Ships Inspected in Isle of Man Ports

The below table represents Port State Control (PSC) inspections of foreign flagged ships in Isle of Man territorial waters.

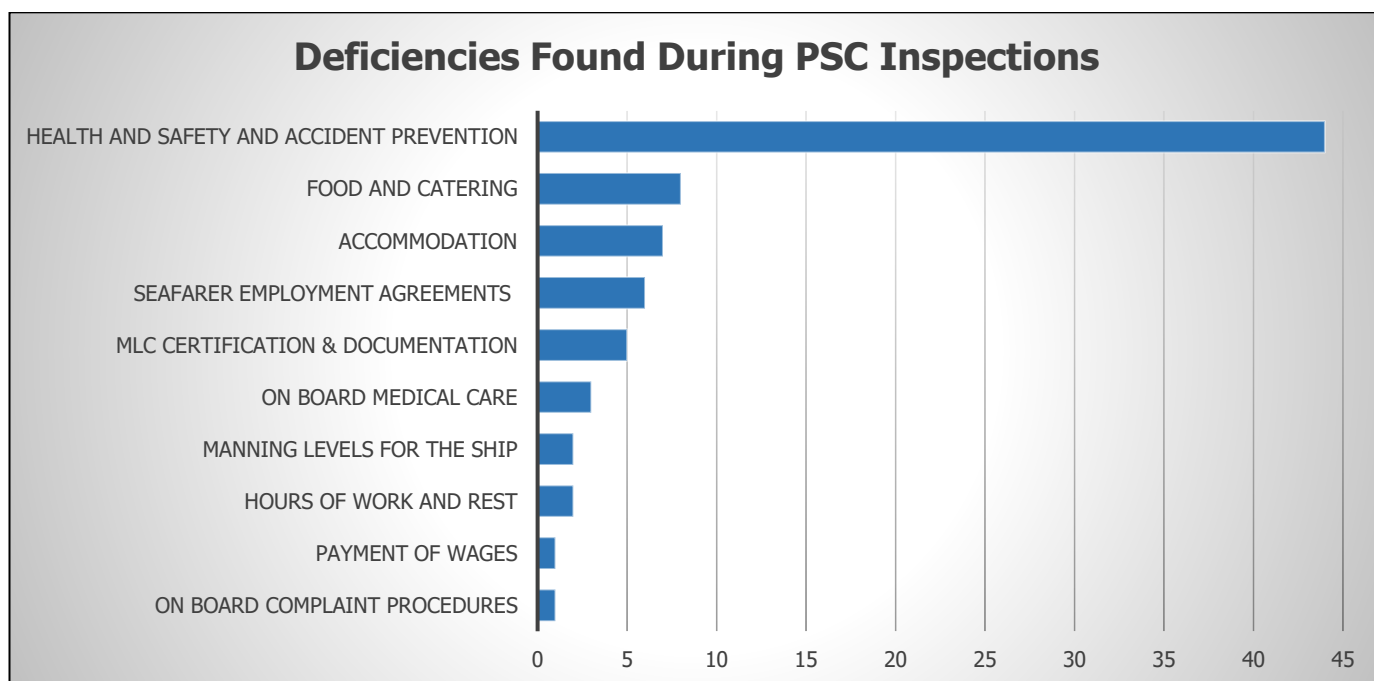
Foreign Flag Ships Inspected in Isle of Man	1 st Qtr	2 nd Qtr	3 rd Qtr	4 th Qtr	Total
Ships with no MLC deficiencies	-	-	-	1	1
Ships with MLC deficiencies	-	-	-	-	0
MLC detentions	-	-	-	-	0

5.2 Isle of Man Ships Inspected in Foreign Ports

The table below shows PSC inspections on Isle of Man registered ships in foreign ports that resulted in MLC/ILO related detentions or deficiencies raised by PSC authorities.

	2018	2019	2020	2021
Total Ships Inspected:	874	790	546	535
Inspections with MLC Detentions:	0	1	3	5
Inspections with MLC Deficiencies:	80	86	44	54
Deficiencies Raised:	116	126	66	87

Please note that more than one MLC deficiency may have been issued to a ship during an inspection.



6. Reported Occupational Injuries and Diseases

All fatalities and significant injuries to seafarers on board Isle of Man registered ships are required to be reported to IOMSR as per the requirements of the [Merchant Shipping \(Accident Reporting and Investigation\) Regulations 2001 \(SD 815/01\)](#).

In this report a "serious injury" is defined as an injury sustained by a person resulting in incapacitation where a person is unable to function normally for more than 72 hours commencing within seven days from when the injury was suffered. A "minor injury" is any lesser injury which is not a serious injury. This report does not include statistics relating to death from natural causes or by suicide.

	2021		2020	2019	2018	2017
	No. of Seafarers	*Rate	Rate	Rate	Rate	Rate
Fatalities	2	26	13	0	0	10
Serious injuries	12	157	125	134	121	139
Minor injuries	5	65	125	155	138	199

Rate per 100,000

*To determine the rate the number of seafarers in the MLC fleet is estimated based on a seafarer average per ship type per ship size. The number of seafarers is based only on seafarers employed on board ships only and does not include seafarers at home on leave, passengers or guests.

In fulfilling the Isle of Man's obligation under MLC standard A4.3.5(b) an Annual Summary Report of Casualties, Accidents and Incidents on Isle of Man Registered Ships is published on the [IOMSR website](#).

6.1 Individual Seafarer Injuries by Rank, Injury and Age

MLC Seafarers by Rank	Total	Minor Injury	Serious Injury	Fatality
Master	0	-	-	-
Ch. Officer	2	1	-	1
OOW Nav.	2	-	1	1
Ch. Engineer	0	-	-	-
2nd Engineer	1	-	1	-
OOW Engineer	1	1	-	-
ETO / Electrician	0	-	-	-
Deck Rating	8	3	5	-
Engine Rating	1	-	1	-
Deck/Eng. Cadet	1	-	1	-
Cook/Steward	2	-	2	-
Others	1	-	1	-
Seafarer Total	19	5	12	2

6.2 Individual Seafarer Activities Being Conducted Leading to Injury or Fatalities

MLC Seafarers per Activity	Total	Min. Inj.	Ser. Inj.	Fatality
Leisure Activity	2	-	2	-
Moving about the Ship	4	-	4	-
Mooring or Anchoring	5	2	1	2
Lifting or carrying mechanically	2	-	2	-
Lifting or Carrying by hand	3	1	2	-
Using portable tools	1	1	-	-
Overhauling or maintaining rotating equipment	1	1	-	-
RO-RO Cargo Operations	1	-	1	-
Seafarer Total	19	5	12	2

6.3 Occupational Diseases Reported per Seafarer

- None.

6.4 Injuries and Accidents Reported on Foreign Ships in Isle of Man Waters

- None