

Isle of Man Ship Registry Maritime Labour Notice



On-board Complaint Procedures

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(Rev. 3)

This MLN gives guidance regarding the on-board complaint procedure required under MLC and contains a model complaints handling procedure (Annex 1) that complies with the Isle of Man requirements.

All Isle of Man registered ships to which MLC applies must have an on-board procedure for the fair and effective handling of seafarer complaints alleging breaches of MLC. This procedure shall be without prejudice to any wider scope that may be given in Isle of Man laws or regulations or any collective agreements.

All seafarers shall be provided with a copy of the on-board complaint procedure applicable on the ship. This shall include contact information of the Isle of Man Ship Registry, and for seafarers who are not resident in the Isle of Man, contact information for the competent authority in the seafarer's country of residence. This will need to cover all nationalities working onboard the ship.

Information on most Competent Authorities can be found on the [ILO MLC 2006 database](#). It is recommended this information is reviewed periodically to ensure it remains current.

The on-board complaint procedures shall include the right of the seafarer to be accompanied or represented during the complaints procedure, as well as safeguards against the possibility of victimization of seafarers for filing complaints. The term "victimization" covers any adverse action taken by any person with respect to a seafarer for lodging a complaint which is not manifestly vexatious or maliciously made.

Seafarers are encouraged to utilise their ship's on-board procedures in order to resolve complaints at the lowest level possible. However, in the event that the complaint is unable to be resolved on-board, seafarers may make a report to the Isle of Man Ship Registry. The seafarer also has the right, if they deem it appropriate, to bring the complaint directly to the Isle of Man Ship Registry.

Our preferred means of receiving a complaint is via our online [complaints form](#). This form is designed to ensure that we have all the information necessary in order to investigate the complaint quickly and efficiently.

Alternatively, complaints can be submitted by e-mail to marine.mlc@gov.im or the seafarer can write to us at the following address:



Principal Surveyor
Isle of Man Ship Registry
St Georges Court
Upper Church Street
Douglas
Isle of Man
British Isles
IM1 1EX

All such complaints will be treated by the Ship Registry in confidence and will be given serious consideration by the Ship Registry. If appropriate a surveyor will visit the ship to investigate the complaint. It is however essential that the person making any complaint is identified to the Ship Registry. The Ship Registry will not reveal the source of its information when investigating but will not deal with any anonymous complaints.

Documents Referred to in this Notice:

Maritime Labour Convention 2006

Please note - The Isle of Man Ship Registry cannot give legal advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.



ANNEX 1

Content for an On Board Complaints Procedure

As a minimum the onboard complaints procedure should include the following advice:

- Complaints should be resolved quickly and effectively, at the lowest level possible.
- Seafarers must not be victimised in any way for filing a complaint and action shall be taken against any person who has been found to victimise a complainant.
- Complaints should be addressed to the head of the seafarers' department or to their superior officer. Complaints regarding health and safety matters should also be reported to the safety officer.
- The head of department or superior officer should attempt to resolve the matter within a prescribed time limit.
- If the complaint cannot be resolved by either the head of department or the superior officer to the satisfaction of the seafarer then the seafarer may refer the matter to the master who should personally handle the complaint.
- Seafarers should have the right at all times to be accompanied and to be represented by another seafarer of their choice on board the ship.
- All complaints and the decisions on them should be recorded and a copy provided to the seafarer.
- If a complaint cannot be resolved on board, the matter should be referred ashore to the shipowner who should be given an appropriate time limit for resolving the matter. If necessary consultation should be undertaken with the seafarer(s) concerned or their appointed representative.
- In all cases seafarers should have the right to lodge complaints directly with the master and/or the shipowner.

The key to having an effective onboard complaints procedure is;

- Have it known to all onboard
- To keep it simple
- Deal with any complaints quickly and openly

