



# Maritime Labour Convention, 2006

## Declaration of Maritime Labour Compliance – Part I

*(Note: This Declaration must be attached to the ship's Maritime Labour Certificate)*

Issued under the authority of the Government of the Isle of Man.

With respect to the provisions of the Maritime Labour Convention, 2006, the following referenced ship:

| Name of ship | IMO number | Gross tonnage |
|--------------|------------|---------------|
|              |            |               |

is maintained in accordance with standard A5.1.3 of the Convention.

The undersigned declares, on behalf of the abovementioned competent authority, that:

- (a) the provision of the Maritime Labour Convention are fully embodied in the national requirements referred to below;
- (b) these national requirements are contained in the national provisions referenced below; explanations concerning the content of those provisions are provided where necessary;
- (c) the details of any substantial equivalencies under Article VI, paragraphs 3 and 4, are provided <under the corresponding national requirement listed below> <in the section provided for this purpose below> *(strike out the statement which is not applicable);*
- (d) any exemptions granted by the competent authority in accordance with Title 3 are clearly indicated in the section provided for this purpose below; and
- (e) any ship-type specific requirements under national legislation are also referenced under the requirements concerned.

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| <p>1. Minimum age (Regulation 1.1)</p> | <p><b>Merchant Shipping (MLC) Regulations 2013</b><br/> <b>(Minimum Age)</b> No person below the age of 16 years shall be employed, engaged or work on the vessel.<br/>                     A young seafarer is defined as a seafarer under the age of 18.<br/> <b>(Hours of Rest)</b><br/>                     There is a prohibition on young seafarers working at night, which as a minimum must include a period of at least 9 hours starting no later than midnight and ending no earlier than 5.00am. However a seafarer aged 16 or 17 may work at night if the work forms part of an established training programme.<br/> <b>(Health and safety protection and accident prevention)</b><br/>                     Measures shall be put into place to protect young seafarers from carrying out any work which is likely to jeopardise their health and safety.<br/><br/>                     See MLN 1.1 for further guidance.</p> |
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| 2. Medical certification (Regulation 1.2)   | <p><b>Merchant Shipping (MLC) Regulations 2013</b><br/> <b>(Medical Certification)</b> Seafarers must not work on the vessel unless they are certified as medically fit to perform their duties. Prior to beginning work on a ship seafarers must hold a valid medical certificate attesting they are medically fit to perform the duties they are to carry out at sea.</p> <p>Medical certificates shall be issued in accordance with at least one of the following Conventions; MLC 2006, STCW, ILO 73. Or in the case of seafarers not covered by STCW the medical certificate shall meet the substance of the STCW requirements.</p> <p>Medical Certificates shall be valid for a maximum period of 2 years and for seafarers under 18 years of age a maximum of 1 year.</p> <p>See MLN 1.2 for further guidance.</p>   |
| 3. Qualifications of seafarers (Regulation 1.3)   | <p><b>Merchant Shipping (Manning and Training) Regulations</b> set training requirements in accordance with STCW 78 (as amended). All officers and ratings to be qualified as specified on safe manning document.</p> <p>All seafarers shall receive onboard safety familiarisation training prior to commencing their duties on board the ship.</p> <p>See MSN030 for further guidance.</p>  |
| 4. Seafarers' employment agreements (Regulation 2.1)  | <p><b>Merchant Shipping (MLC) Regulations 2013</b><br/> <b>(Seafarers Employment Agreements (SEA))</b> requires that shipowners and all seafarers they employ have a signed original SEA that includes the contents as stated in MLN 2.1 para 14 (a-j).</p> <p>A model format of an SEA is available in Annex 2 of the MLN. The model format complies with Isle of Man regulations. The SEA and any document forming part of the SEA, if they are not in English should be available on board in English translation. Seafarers shall be given a document in English containing a record of their employment on board the ship.</p> <p>See MLN 2.1 for further guidance.</p> <p><b>(Entitlement to Leave)</b> requires that seafarers must be given a minimum of 2.5 days per month paid annual leave and public holidays calculated on the basis of 10 days earned for every 12 months worked. Seafarers are to be granted shore leave to benefit their health and well-being consistent with the operational requirements of their positions.</p> <p>See MLN 2.4 for further guidance.</p> <p><b>(Repatriation)</b> Shipowners are required to provide financial security to ensure that seafarers they employ are duly repatriated.</p> <p>Shipowners are prohibited from requiring seafarers to make an advance payment towards the cost of repatriation.</p> <p>See MLN 2.5 for further guidance.</p> <p><b>(Financial security)</b> for compensation in case of death or long term disability of seafarers due to occupational injury, illness or hazard is the responsibility of the ship owner.</p> <p>See MLN 4.2 for further guidance</p> |
| 5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4) | <p><b>Merchant Shipping (MLC) Regulations 2013</b><br/> <b>(Recruitment and Placement)</b></p> <p>Shipowners must only use seafarer recruitment and placement services, certified by ratifying countries OR recruitment and placement services that can demonstrate conformity to the MLC requirements for recruitment and placement.</p> <p>See MLN 1.4 for further guidance.</p>  |
| 6. Hours of work or rest (Regulation 2.3)   | <p><b>Merchant Shipping (MLC) Regulations 2013</b><br/> <b>(Hours of Rest)</b> The minimum limits on hours of rest provided by the shipowner shall be 10 hours in any 24-hour period, which may be divided into no more than two (2) periods – one of which shall be at least six (6) hours in length, and no more than 14 hours between any consecutive periods; and 77 hours in any seven-day period.</p> <p>See MLN 2.3 for further guidance.</p>  |

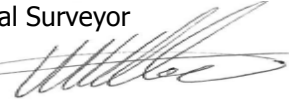
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| <p>7. Manning levels for the ship (Regulation 2.7)</p>                | <p><b>Merchant Shipping Regulations (Manning and Training)</b> requires safe manning documents for all ships over 500GT. The Large Yacht Code prescribes manning scales for commercial yachts. The number of seafarers on board must comply with or exceed the safe manning document in terms of both the number and qualifications of seafarers.</p> <p>If a ship changes trading area, construction, machinery or equipment, operation and/or method of maintenance, or seafarers persistently fail to comply with rest hour's requirements, the Safe Manning Document should be reviewed.</p> <p>See MSN030 for further guidance.</p>  |
| <p>8. Accommodation (Regulation 3.1)</p>                              | <p><b>Merchant Shipping (Crew Accommodation) Regulations 1978</b> applies for ships constructed before the date MLC 2006 comes into force.</p> <p><b>Merchant Shipping (MLC) Regulations 2013 (Accommodation and Recreational Facilities)</b> requires the shipowner to comply with regulations with regard to –<br/> The size of rooms and other accommodation spaces;<br/> Heating and ventilation;<br/> Noise, vibration and other ambient factors;<br/> Sanitary facilities;<br/> Lighting;<br/> Hospital accommodation.</p> <p><b>Commercial Yachts</b><br/> For yachts constructed prior to MLC entering into force the crew accommodation has been constructed in accordance with the Large Commercial Yacht Code and as far as practical in accordance with ILO92/133.</p> <p><b>Inspections</b><br/> Inspections of the accommodation must be carried out by the Master or under the authority of the Master at intervals not exceeding 7 days.</p> <p>See MLN 3.1 for further guidance.</p> |
| <p>9. On-board recreational facilities (Regulation 3.1)</p>           | <p><b>Merchant Shipping (MLC) Regulations 2013 (Accommodation and Recreational Facilities)</b> requires shipowners to provide appropriate seafarers' recreational facilities, amenities and services, as adapted to meet the special needs of seafarers who must live and work on ships.</p> <p>Furnishings for recreational facilities should as a minimum include a bookcase and facilities for reading, writing and, where practicable, games.</p> <p>See MLN3.1 for further guidance.</p>   |
| <p>10. Food and catering (Regulation 3.2)</p>                         | <p><b>Merchant Shipping (MLC) Regulations 2013 (Food and Catering)</b> requires that food and water is supplied free of charge to seafarers and is suitable in terms of quantity, nutritional value, quality and variety.</p> <p>All ships with 6 or more seafarers that operate on voyages of more than three days, or travel more than 36 hours from a safe port must have a ship's cook onboard;</p> <p>Cooks shall be trained and qualified and all catering staff shall have evidence of completion of a training course or of being instructed in food and personal hygiene and handling and storage of food.</p> <p>Catering departments shall be inspected at least weekly.</p> <p>Seafarers under 18 years of age shall not be employed as ships cooks.</p> <p>See MLN 3.2 for further guidance.</p>   |
| <p>11. Health and safety and accident prevention (Regulation 4.3)</p> | <p><b>Merchant Shipping (MLC) Regulations 2013 (Health and safety protection and accident prevention)</b><br/> The shipowner shall ensure as far as is reasonably practicable, the health and safety of seafarers on board the ship. In carrying out this duty the shipowner shall ensure reasonable precautions are taken to prevent occupational accidents, injuries and diseases on board ship. Implementing the department's health and safety guidelines will be taken to constitute reasonable precautions for the prevention of risk of exposure to harmful levels of noise, vibration and chemicals on board the ship.</p> <p>The health and safety guidelines also include -</p>   |

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|  | <p>All ships are to have a safety officer;<br/>Ships in which there are five or more seafarers the Master shall appoint a safety committee, and the officers or ratings shall elect or appoint a safety representative;<br/>Suitable personal protective equipment shall be provided;<br/>Seafarers shall be provided with adequate and appropriate health and safety training and instruction;<br/>The requirements for risk assessments and health surveillance;<br/>Safety requirements for equipment and machinery on board ships;<br/>and procedures for reporting occupational accidents, injuries and diseases.<br/>See MLN 4.3 for further guidance.<br/>Other applicable Health and Safety regulations are –<br/><b>Merchant Shipping (Accident Reporting and Investigation) Regulations SD 815/01</b><br/>See MSN 003 for further guidance.<br/><b>Merchant Shipping (Hatches, hold access and lifting plant) Regulations 279/89.</b><br/><b>Merchant Shipping (Means of Access) regulations GC 280/89</b><br/><b>Merchant Shipping (Guarding of machinery and safety of electrical) Regulations GC 421/89.</b></p> |
| 12. On-board medical care (Regulation 4.1)           | <p><b>Merchant Shipping (MLC) Regulations 2013</b><br/><b>(Medical care on board and ashore)</b> requires that the cost of medical and dental treatment for seafarers is borne by the ship owner.<br/>Ships with 100 or more persons on board operating on international voyages of more than 3 days shall carry a medical doctor.<br/>All other ships are required to have either at least one seafarer on board who is in charge of medical care or at least one seafarer on board competent to provide medical first aid.<br/>Seafarers have the right to visit a qualified medical doctor or dentist without delay in ports of call, where practicable.<br/>All ships shall carry a medicine chest, medical equipment and a medical guide.<br/>A standard medical report form (MR001) or similar shall be completed in all cases of illness or injury.<br/>See MLN 4.1 for further guidance.<br/><b>Merchant Shipping (Medical Stores) Regulations SD735/01.</b><br/>See MSN 006 for further guidance.</p>  |
| 13. On-board complaint procedures (Regulation 5.1.5) | <p><b>Merchant Shipping (MLC) Regulations 2013</b><br/><b>(On-board Complaint Procedure)</b> requires that shipowners must ensure their ships have on-board procedures for the fair, effective and expeditious handling of seafarer complaints.<br/>They must allow for complaints directly to the Master or an appropriate external authority, including the Isle of Man Ship Registry.<br/>Seafarers must not be victimised for raising complaints and have the right to be accompanied or represented.<br/>Shipowners must ensure all seafarers are provided with a copy of the on-board complaint procedures.<br/>See MLN 5.1.5 for further guidance.</p>   |
| 14. Payment of wages (Regulation 2.2)                | <p><b>Merchant Shipping (MLC) Regulations 2013</b><br/><b>(Payment of Wages)</b> defines the principles applying to the payment and calculation of basic pay and wages which are partially or fully consolidated.<br/>All seafarers shall receive a monthly account of their wages.<br/>Shipowners are required to take measures to provide seafarers with a means to transit all or part of their earnings to their families or dependants or legal beneficiaries.<br/>The following deductions from seafarer's wages are permitted –<br/>Deductions permitted in relevant national laws, or agreed to in a CBA, on-board purchases, telecommunication calls and internet access, cash advances, allotments, contributions by the seafarer in relation to any pension fund, charity, and in respect of membership of a body to any trade union and friendly society.<br/>No deductions can be made from a seafarer's wage in respect of obtaining or retaining employment.<br/>Monetary fines against seafarers other than those authorised in a CBA are prohibited.<br/>See MLN 2.2 for further guidance.</p>               |

Name: Mr Ron Strathdee

Title: Principal Surveyor

Signature:



Place: Douglas

Date: 21/06/2013



Official Stamp

### Substantial equivalencies

*(Note: Strike out the statement which is not applicable)*

The following substantial equivalencies, as provided under Article VI, paragraphs 3 and 4, of the Convention, except where stated above, are noted *(insert description if applicable)*:

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.....

No equivalency has been granted.

Name:

Title:

Signature: .....

Place

Date:

Official Stamp

### Exemptions

*(Note: Strike out the statement which is not applicable)*

The following exemptions granted by the competent authority as provided in Title 3 of the Convention are noted:

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.....

No exemption has been granted.

Name:

Title:

Signature: .....

Place:

Date:

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