

ILO Maritime Labour Convention, 2006 (MLC, 2006)

Ensuring compliance with the legislation

Chios Marine Club

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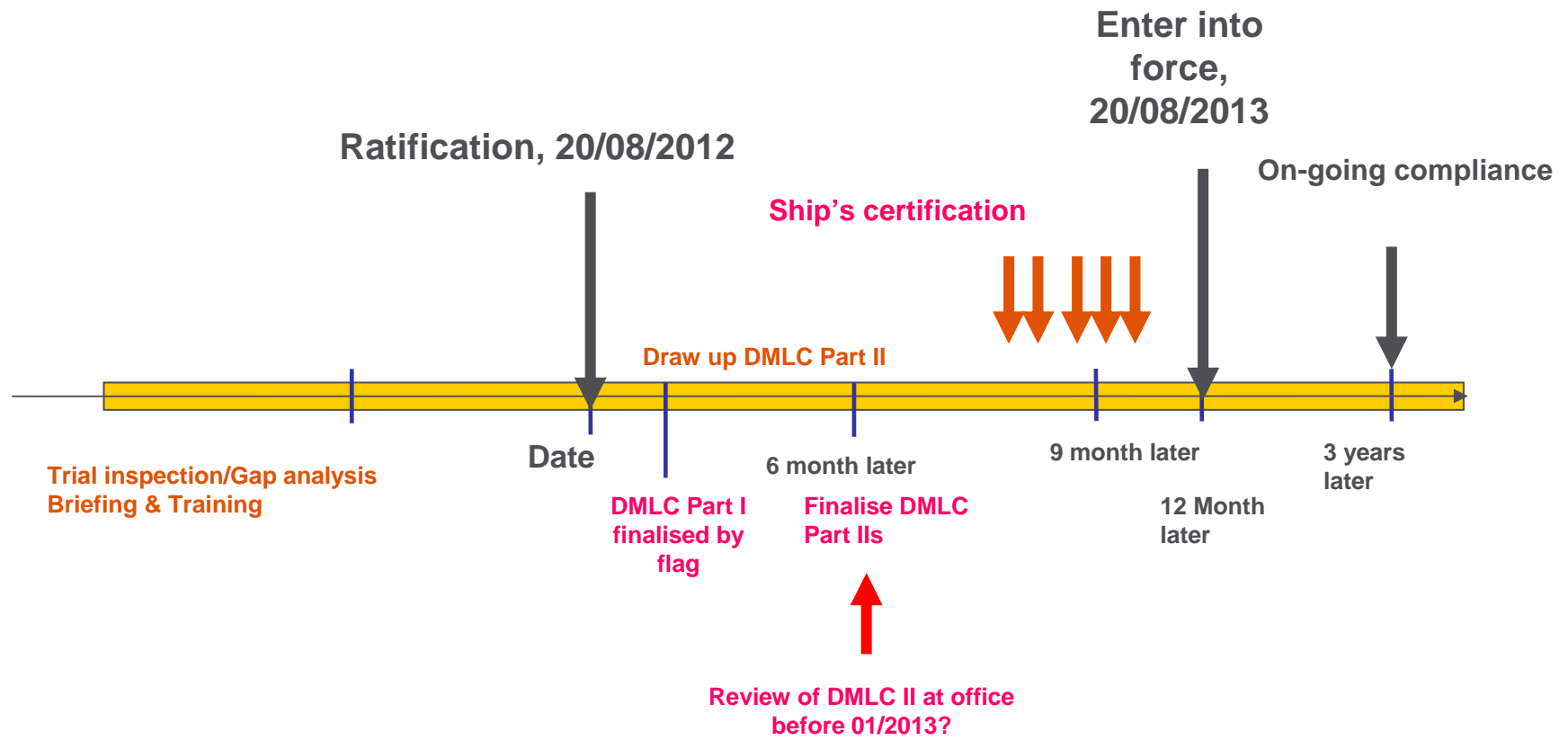


Lloyd's Register Marine

- 1) A "Bill of Rights" for all seafarers
 - 90% of trade by sea
 - 1.2 million seafarers
 - estimated 69,000 ships to be inspected
- 2) The "fourth pillar" of maritime legislation (STCW, SOLAS, MARPOL, ILO MLC)



Road map towards compliance and certification



*Regulation 5.1.3 – Maritime labour certificate and declaration
of maritime labour compliance*

Applies to ships of:

- (a) 500 gross tonnage or over, engaged in international voyages;
and
- (b) 500 gross tonnage or over, flying the flag of a Member and
operating from a port, or between ports, in another country.

* Ships below 500grt, or ships operating on a domestic trade still need to be inspected against the requirements of the Convention but do not need to be certified

Declaration of maritime labour compliance (DMLC)

- Part I shall be drawn up by the competent authority
- Part II shall be drawn up by the ship owner



Inspection

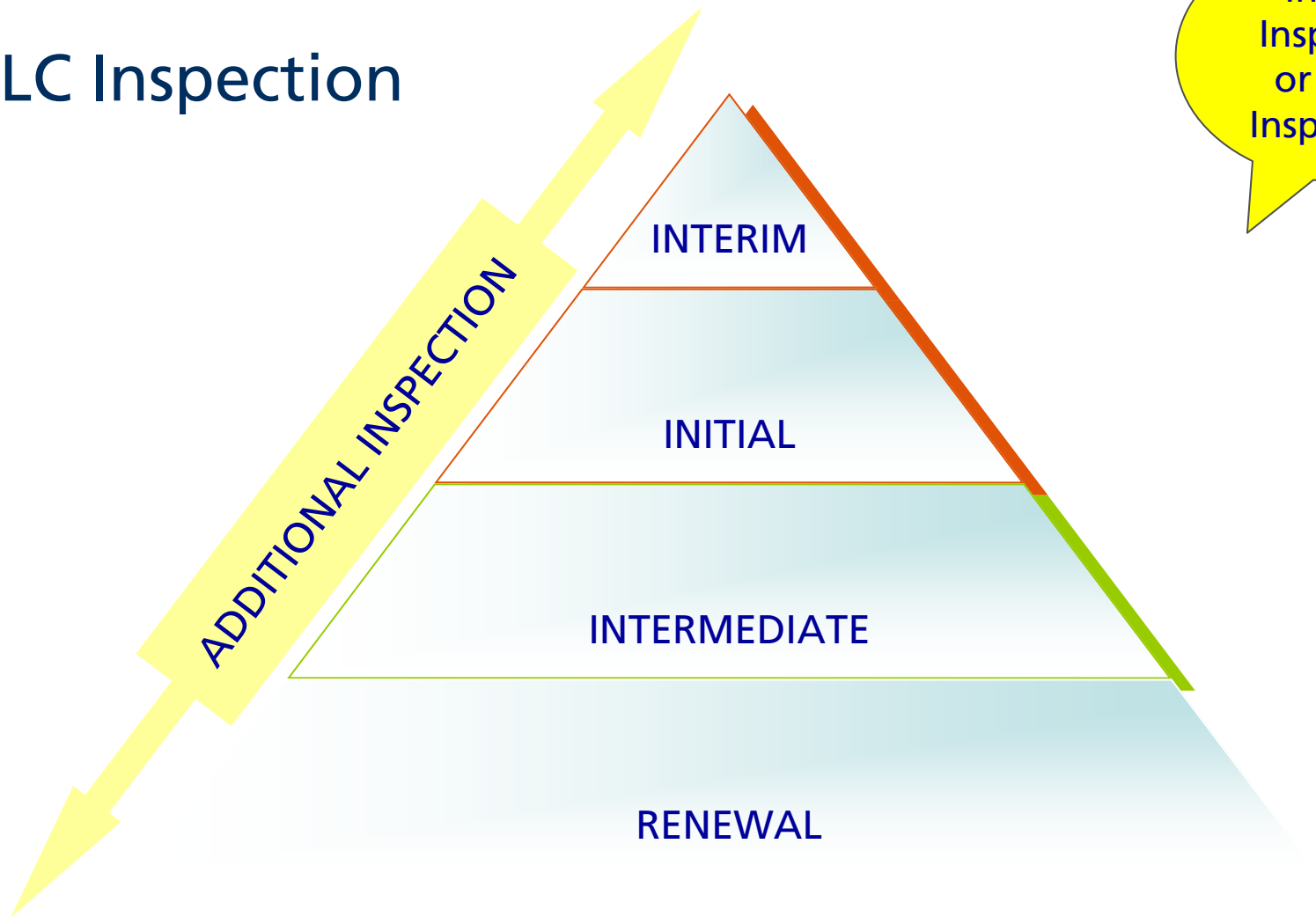


Maritime Labour Certificate (MLC)

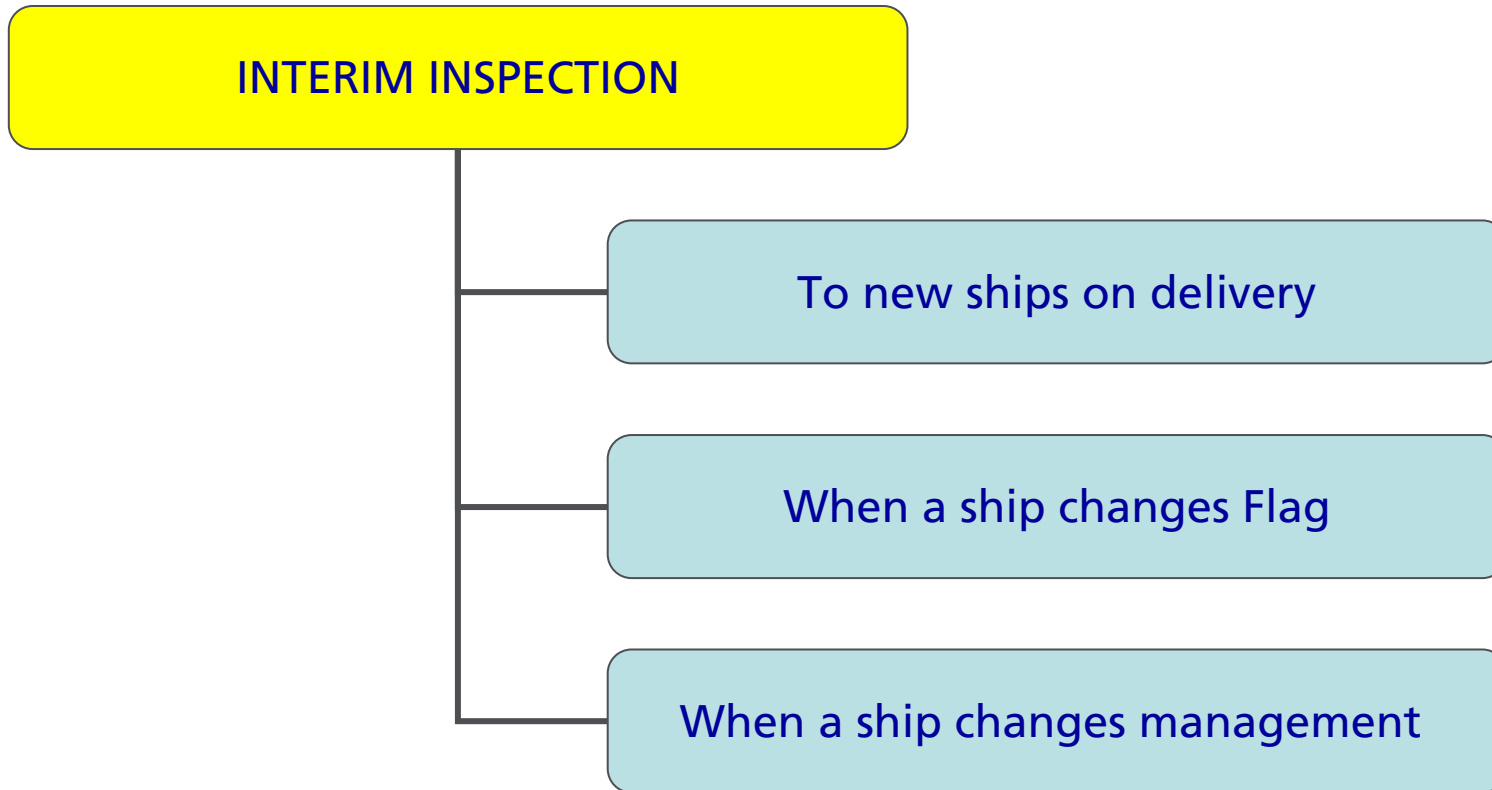
(5 year MLC with intermediate full inspection during years 2-3)



MLC Inspection

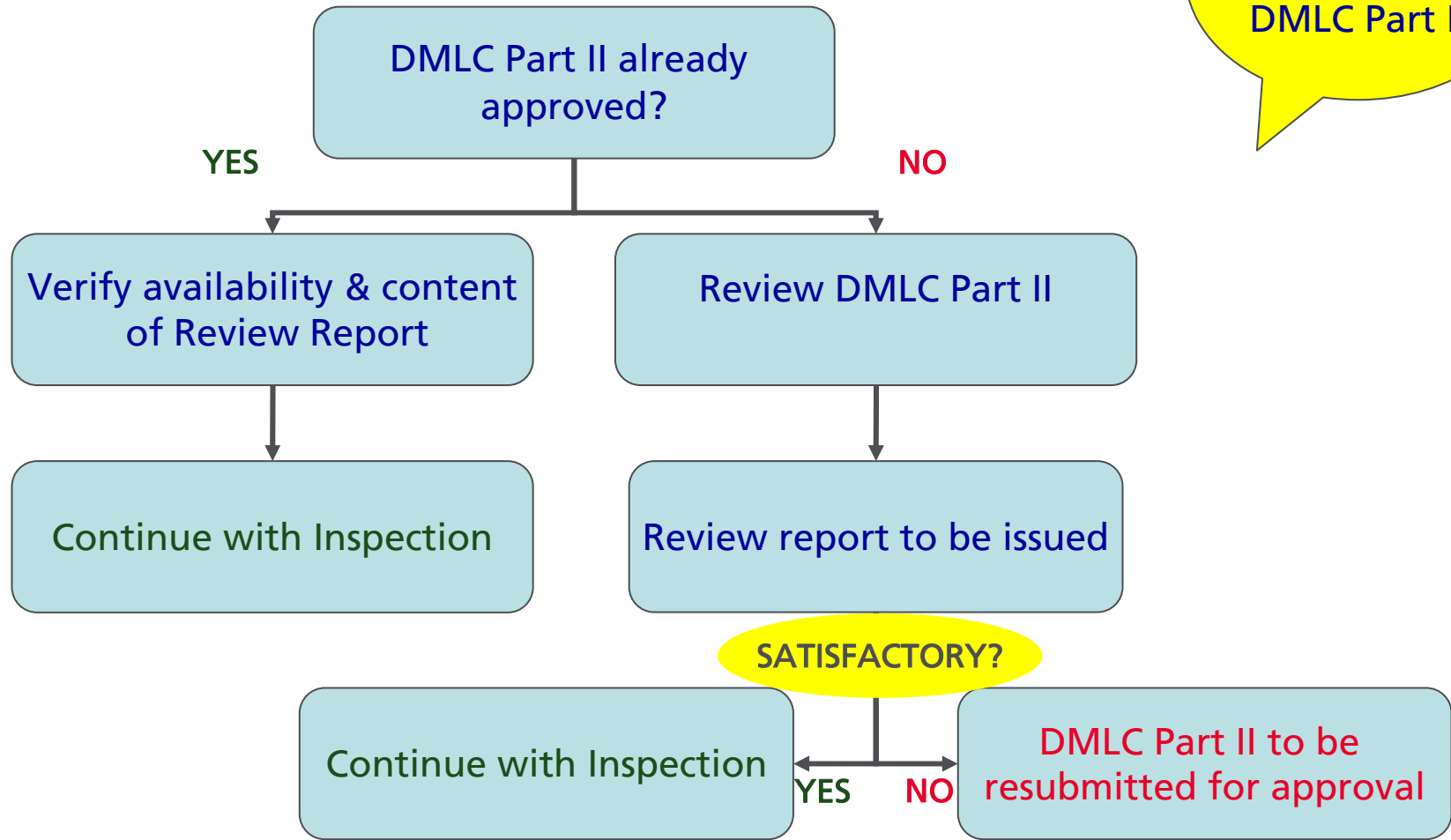


MLC Inspection

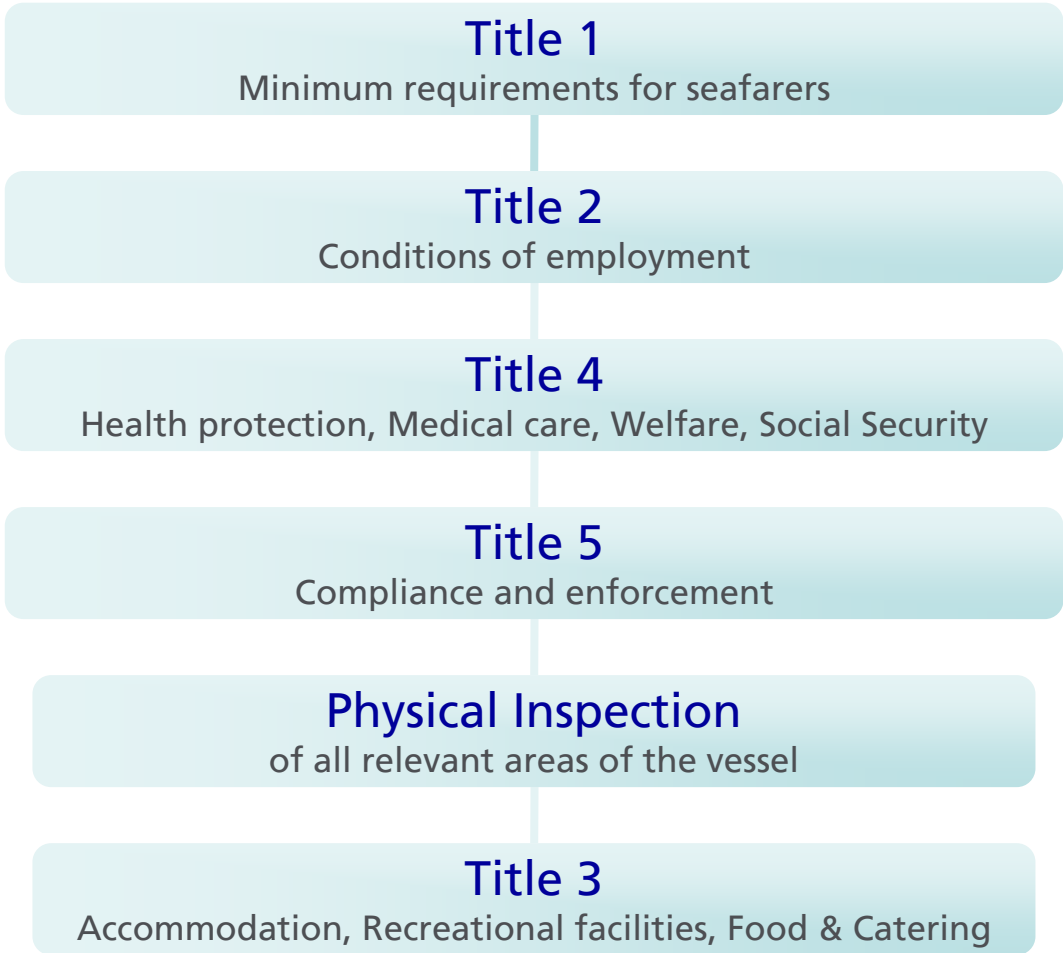


Carrying out the Inspection

Step 1:
Review
DMLC Part II



Carrying out the Inspection



Inspections are to include:

- ✓ Document Review
- ✓ Interviews with ship's personnel relating to area of responsibility
- ✓ Visits to all working areas on board
- ✓ All Titles to be addressed at each Inspection



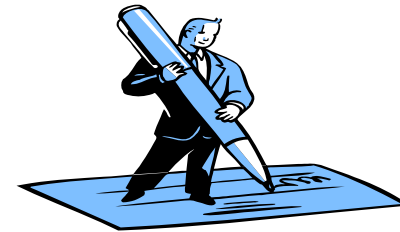
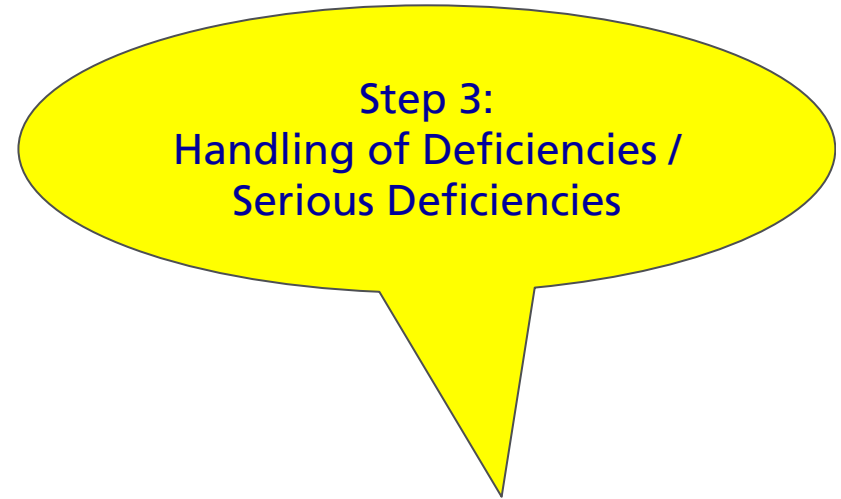
Carrying out the Inspection

- Serious Deficiencies
- Deficiencies
- Observations

- All 'Deficiencies' and 'Serious Deficiencies' **must** be rectified

- **Professional judgement** of the Inspector to decide if a ship is allowed to sail before a 'Deficiency' is rectified...

Action plan provided to Inspector and agreed upon!



On board Reporting & Certification

- Maritime Labour Certificate & DMLC
- Name and address of the Shipowner to be identical to Company-details on ISM DOC (and Continuous Synopsis Record)

Statement no: **ANT 111051u**
Page 1 of 2

Lloyd's Register Maritime Labour Convention, 2006
Statement of Compliance

Note: This statement should have a Declaration of Maritime Labour Compliance attached.
Issued under the provisions of Article V and Title 5 of the Maritime Labour Convention, 2006, (referred to below as "the Convention") under the authority of the Government of the Republic of the Marshall Islands by Lloyd's Register EMEA

| Particulars of ship | |
|--|--|
| Name of ship | TARGALE |
| Distinctive number or letters | 2775 |
| Port of registry | Majuro |
| Date of registry | 06 March 2007 |
| Gross tonnage ¹ | 30,641 |
| IMO number | 922340 |
| Type of ship | Oil/Chemical Tanker |
| Name and address of the Shipowner ² | LSC Shipmanagement SIA 10a Gambia slamb Riga LV 1045 Latvia |

This is to certify:

1. that this ship has been inspected and verified to be in compliance with the requirements of the Convention, and the provisions of the attached Declaration of Maritime Labour Compliance, and
2. that the seafarer's working and living conditions specified in Appendix A1.1 of the Convention were found to correspond to the above mentioned country's national requirements implementing the Convention. These national requirements are summarised in the Declaration of Maritime Labour Compliance, Part 1.

This statement is valid until **09 January 2012** subject to inspections in accordance with Standards A5.1.3 and A5.1.4 of the Convention.

This statement is valid only when the Declaration of Maritime Labour Compliance issued at **Reston, Virginia** on **04 August 2011** is attached.

Completion date of the inspection on which this statement is based **10 August 2011**

Inspected at **Antwerp, Belgium** on **10 August 2011**

Lloyd's Register EMEA
Antwerp Office
Peter Bormans
P. Bormans
Surveyor to Lloyd's Register EMEA
A member of the Lloyd's Register Group

¹ For ships covered by the tonnage measurement system scheme adopted by the IMO, the gross tonnage is that which is included in the RYMARCS column of the International Tonnage Certificate (1969). See Article 8(3) of the Convention.
² Shipowner means the owner of the ship or another person or entity, such as the manager, agent or bareboat charterer, who has assumed the responsibility of operation of the ship from the owner and who, in assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowner by the Convention, regardless of whether any other organisations or persons have taken on the duties or responsibilities on behalf of the shipowner.
³ B.U. of the Convention.

Copy of the MLC, the DMLC and the inspection report shall be posted on board



Implementation challenges

Title 1: Minimum requirements for seafarers to work on a ship

- Seafarers age control (policy / procedures / measures)
- Control of medical certificates (contents, validity, language, approved medical practitioners)
- Training & Qualification (measures / competency matrix)
- Control of manning agents (ratified & non-ratified countries)

Implementation challenges (cont)

Title 2: Conditions of Employment

Seafarers Employment Agreements (Reg 2.1)

- CBA not available on board
- Record of employment (quality, wages)
- Minimum particulars to be included in the SEA
- More than one set of contracts
- Concessionaires / 'seafarer' definition

Implementation challenges (cont)

Title 2: Conditions of Employment (cont)

- Monthly payment of wages / statement of account
- Work / rest hours – records / STCW
- Seafarers more than 12 months on board
- Financial security to ensure repatriation
- National laws / regulations for the repatriation

Implementation challenges (cont)

Title 3: Accommodation, recreational facilities, food & catering

- Compliance with ILO Conventions 92/133 and/ or Flag State
- Accommodation inspection records *vs* Actual condition
- Cook's qualification & age control
- Galley inspection / sanitation control

Implementation challenges (cont)

Title 4: Health protection, medical care, welfare and social security protection

Medical Care on board ship and ashore (Reg 4.1)

- Medical care not specified
- Essential dental care (not provided)
- Medical report form (FS model)
- Medicine chest

Implementation challenges (cont)

Title 4: Health protection, medical care, welfare and social security protection

Ship-owners' liability (Reg 4.2)

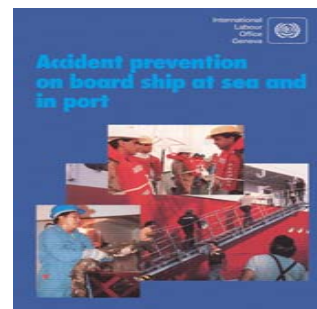
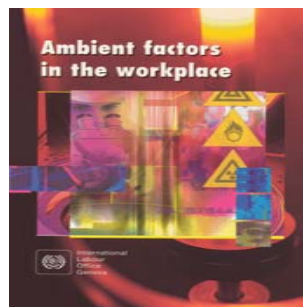
- Not the minimum required (16 weeks)
- Financial security not defined (serious illness / death)

Implementation challenges (cont)

Title 4: Health protection, medical care, welfare and social security protection (cont)

Health & Safety protection and accident prevention (Reg 4.3)

- OH & S policy
- Flag State's OHS National requirements
- Awareness of OHS policy / measures / Risk assessment
- Safety representatives / safety committee meetings (OHS issues)
- Instructions for personal hygiene / health surveillance
- Noise & vibration (risk assessment, instructions, EC Directives, FS laws)



Implementation challenges (cont)

Title 4: Health protection, medical care, welfare and social security protection (cont)

Social Security Protection (Reg 4.5)

- The three mandatory branches not provided (medical care, sickness benefit, injury benefit)
- Employees (*seafarers??*) to arrange their own insurance cover

Implementation challenges (cont)

Title 5 – Compliance and Enforcement

- Complaints procedure (FS contact point, external authorities, time limits, etc)
- Person(s) responsible / occasions to verify on going compliance / records (B5.1.3.2)
- Copy of MLC, 2006 on board

Proposed Action Plan

- Verify compliance with C92 and C133 or FS requirements
- Early preparation of the DMLC Part II
- Office / Ship's staff awareness of MLC, 2006 requirements
- Development of comprehensive on board complaint procedures
- Correct allocation of responsibilities



Any questions?



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