

Isle of Man Ship Registry

C178 Labour Inspection (Seafarers) Convention 1996

Report by the Central Co-ordinating
Authority for the Isle of Man Registry

July 2007 - June 2008

Isle of Man Government
Department of Trade and Industry



Isle of Man
Government

Reiltys Ellan Vannin



INVESTOR IN PEOPLE

Introduction

Convention No. 178 of the International Labour Organization was adopted on the 22nd October 1996 and came into force 12 months after ratification by two member states. The Convention sets out a regime of inspection of Seafarers Living and Working Conditions and requires each member to maintain such a system. Article 8 of the Convention requires the central co-ordinating authority for each member to maintain records and to publish annually a report on inspection activities.

This report is published by the Isle of Man Ship Registry as the central co-ordinating authority for Isle of Man registered ships in accordance with Article 8.

Legal background

The Labour Inspection (Seafarers) Convention is given effect for Isle of Man ships by the Merchant Shipping (Inspection of Seafarers' Working and Living Conditions) Regulations 2002 which came into force on the 1st November 2002.

These regulations, in turn, were created under powers contained in Sections 1 and 2 of the Merchant Shipping Act 1985.

The Convention was not ratified by the United Kingdom until the 2nd July 2003. The Isle of Man was of the view that this Convention was a valuable contribution to the overall welfare of the seafarers in its ships and decided to give the Convention effect in advance of the UK's ratification. The Isle of Man's regulations had effect from 1st November 2002. Subsequently, following the UK's ratification, the Convention was extended to the Isle of Man on 21 July 2004.

Meeting the Requirements, Scope and Definitions

The Ship Registry is a Division of the Department of Trade and Industry and the Director of the Ship Registry reports to the Minister for Trade and Industry in respect of shipping matters. The Ship registry is the "Central Coordinating Authority" as defined in Article 1. The Isle of Man Regulations apply to Isle of Man registered vessels of 500 GT or more and to Isle of Man fishing vessels of over 24 metres in length.

Ships registered in the Isle of Man are mainly ocean going ships of more than 500 GT. A small number of cargo vessels under 500 GT operate locally and are regularly seen by the Ship Registry's personnel. The fishing vessel register contains no vessels of more than 24 metres. All the fishing vessels are generally operating in local waters off the Isle of Man by the owners and fishing on a day trip basis.

The Isle of Man Ship Registry is staffed by experienced and qualified Surveyors. The Surveyors fulfil the requirement of "Inspector" as defined in Article 1. Inspectors from the Ship Registry are civil servants and are empowered to conduct inspections at appropriate intervals and at any other time when given cause to do so.

The Isle of Man views the ILO178 inspections associated with this Convention as a fundamental responsibility of the flag state and therefore no arrangements have been made to delegate any of the functions under this Convention to any other body. In terms of Article 8, therefore, there is no requirement to publish any lists of other organisations.

Inspector Training

In order to ensure that the Inspectors receive suitable training for carrying out ILO178 Inspections and to ensure that the inspections were carried out properly, training courses were designed to compliment the surveyors Industry experience. These are in four stages;

1. Employer's view briefing.

Representatives from the Isle of Man Shipping Association presenting a briefing on current employment practice, related issues, and the processes of negotiation through the IBC.

2. Seafarer's view briefing.

Representatives from NUMAST¹ delivering a thorough briefing on crew employment contracts, welfare issues, inspection practicalities, and related issues.

3. Food and Provisions briefing.

A qualified and experienced representative from the UK maritime authority delivering a briefing on food and galley hygiene, food storage practices, and inspection practicalities.

4. Practical Training on Board Vessels

Any new Surveyor to the Isle of Man Ship Registry is also required to understudy a more experienced surveyor through to being overseen by an experienced surveyor for ILO178 Inspections over a number of ship visits.

The briefings and practical training give the surveyors a thorough overview of all the issues covered by the inspection and listed in Article Art. 1.7.(e) of the convention.

Organisation of Inspections

There is a system of inspection in place that requires an Isle of Man surveyor to visit each registered ship at intervals of approximately 30 months it has been arranged that the surveyors and ship inspectors complete the Inspection of Seafarers' Living and Working Conditions at the same time as the other audits and inspections. Under this arrangement inspections under ILO 178 take place at intervals of less than 3 years which ensures compliance with Article 3 of the Convention.

All audits and inspections are completed only by exclusive Surveyors employed by the Isle of Man Government and based at the Ship Registry in the Isle of Man. ISM and ISPS audits fall at intervals which fit well with the minimum interval for inspections under the ILO 178 Convention of 3 years. The Ship Registry is able to complete inspections under the Merchant Shipping (Inspection of Seafarers' Working and Living Conditions) Regulations 2002 at the same time as it conducts the other audits.

Should a Surveyor have cause to visit a vessel for any other reason other than a regular audit work then an ILO178 Inspection will be carried out also.

No other organisations are authorised to undertake ILO178 Inspections on behalf of the Isle of Man. Other statutory surveys can be carried out by Recognised Organisations on behalf of the Government of the Isle of Man and there are arrangements in place for selected Recognised Organisations to be appointed for statutory surveys other than ISM related, ISPS related and

¹ NUMAST is the UK based National Union of Marine, Aviation, and Shipping Transport Officers.

ILO related inspections. In extraordinary circumstances an ISM or ISPS related inspection may be delegated to a Recognised Organisation on a case by case basis.

Inspections Conducted

During the period between July 2007 and June 2008 a total of 115 inspections under the ILO178 regulations have been carried out on Isle of Man ships, 112 with no deficiencies. The inspection record for this period is as follows:

	3 rd Qtr 2007	4 th Qtr 2007	1 st Qtr 2008	2 nd Qtr 2008	TOTAL
No of Inspections	41	27	28	19	115
No. of Inspections with no deficiencies	40	25	28	19	112
No. of Inspections revealing a need to take action	1	2	0	0	3

Three cases arose where the Ship Registry was required to take action to rectify the situation as follows

1. A Commercial Yacht was found to have deficiencies relating to Hours of rest, crew certification and the appointment of a Safety officer including Health and Safety Inspections.
2. A General Cargo Vessel was found to have deficiencies relating to the food storage areas in a poor condition, incomplete Articles of Agreement and inadequate hospital facilities.
3. A General Cargo Vessel was found to have deficiencies relating to the food storage areas in a poor condition and the toilet system in an unsatisfactory condition.

In all cases the deficiencies were resolved to the satisfaction of the Isle of Man Ship Registry.

Following the Inspection a report is made by the Inspector including a list of any deficiencies to be rectified. Reports are handed to the Master of the vessel to be displayed in a conspicuous place and are also recorded with the Isle of Man Ship Registry. This fulfils the requirements for reporting under Article 9.

Monitoring Inspections and Deficiencies

The Isle of Man Ship Registry has made a significant financial investment in a new computerised reporting system covering a range of Ship Certification including ILO178 Inspections. This has greatly enhanced our ability to monitor vessels for their ILO 178 inspection and help us to analyse the findings of the inspections and monitor any deficiencies raised during the Inspection.

The computer reporting system and ship filing system at the Ship Registry fulfils the requirement for maintaining records of the Inspections as required by Article 8.

Conclusions

In reviewing the application of ILO Convention 178 and the conduct of verifications a number of factors have emerged.

- ILO 178 Inspections are becoming a routine part of the vessels survey regime. Although the number of deficiencies remains very low, the inspections have highlighted some issues, which have always been swiftly acted upon by the vessel's owners.
- The ILO 178 Inspection has become an important part of our visits to our vessels, sitting well beside Safety Management and Security. The process of making the inspections at the same time as the audit for renewal or verification of the ship's Safety Management Certificate continues to work well.
- The system of in-house training supplemented by external courses as required provides surveyors with the tools necessary to complete the verifications well.
- Knowledge of the ILO 178 inspection regime amongst seafarers and owners is well established, reflected by the low number of deficiencies found during the verifications.
- The Isle of Man Ship Registry intends to maintain the process and organisation of ILO178 inspections in the same manner as it is currently operating.

The information in this report can be provided in large print or on audio tape, on request

Copyright Notice

The contents of this report are the property of the Isle of Man Ship Registry and should not be copied without its permission.