

Isle of Man Ship Registry

Maritime Labour Convention Annual Report

2016

**Isle of Man Government
Department of Economic Development**



**Isle of Man
Government**

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Introduction

The Maritime Labour Convention 2006 (MLC) was extended to the Isle of Man on 7th August 2013 and came into effect on 20th August 2013 in line with the international enforcement date of the Convention. The aim of the MLC was to modernise labour standards for seafarers by prescribing –

- minimum requirements for seafarers to work on a ship including minimum age, training and qualifications, medical certificates and recruitment and placement;
- conditions of employment including wages, seafarers' employment agreements, hours of work and rest, entitlement to leave, repatriation, compensation for loss and foundering and manning levels;
- standards of accommodation, recreational facilities, food and catering; and
- levels of health protection including health and safety policies and programmes, shipowner's liability and medical care.

The Isle of Man Ship Registry (IOMSR) is responsible for inspections and issuing certification for Isle of Man registered ships trading commercially worldwide. Under the provisions of MLC 5.1.1/2 (General Principles) the Isle of Man Ship Registry is responsible for establishing:

"an effective system for the inspection and certification of maritime labour conditions, ...ensuring that the working and living conditions for seafarers on ships that fly its flag meet, and continue to meet, the standards in this Convention."

To achieve the required standards IOMSR worked tirelessly for many years to develop new legislation, update existing legislation and produce guidance for the benefit of seafarers, technical managers and crewing companies. MLC Standard A5.1.4/13 (Inspection and enforcement) requires:

"The competent authority of each Member shall maintain records of inspections of the conditions for seafarers on ships that fly its flag. It shall publish an annual report on inspection activities within a reasonable time, not exceeding six months, after the end of the year."

In fulfilling the Isle of Man Ship Registry's obligation under MLC A5.1.4/13 this report is published annually and has been compiled taking into consideration the guidance contained in MLC B5.1.4/10. The statistics contained in this report are concerned only with ships to which the MLC applies.

This report covers the calendar year from 1st January 2016 to 31st December 2016.

If you have any questions concerning the Isle of Man's implementation of MLC please contact us at either of the following:-

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Form C-003 Ref No.

Maritime Labour Certificate
(in duplicate)

Issued under the provisions of Article V and Title 5 of the Maritime Labour Convention, 2006
(referred to below as 'the Convention')

(Note: This Certificate shall have a Duration of Maritime Labour Certificate valid Under the authority of the Government of the Isle of Man)

MARITIME LABOUR NOTICE

MLN 001
(rev 7)

Name of ship _____
 Distinctive number or letters _____
 Port of registry _____
 Date of flagging _____
 Gross Tonnage _____
 IMO number _____
 Type of ship _____
 Name and address of the shipowner* _____

This is to certify:

1. That this ship has been inspected and verified to be in compliance with the requirements of the provisions of the attached Declaration of Maritime Labour Compliance;
2. That the seafarers' working and living conditions specified in Appendix A5 of the Convention correspond to the above-mentioned country's national requirements implemented in national requirements not inconsistent with the Declaration of Maritime Labour Compliance.

This Certificate is valid until _____ subject to inspections in accordance with Standard Certificates.

This Certificate is valid only when the Declaration of Maritime Labour Compliance issued at Douglas on _____ is attached.

Completion date of the inspection referred to under (1) above was _____
 Issued at Douglas on _____

(Signature of the duly authorized official issuing the certificate)

Official Stamp

*Shipowner means the owner of the ship or another organization or person, such as the manager, agent or charterer, responsible for the operation of the ship from the vessel and who, in accordance with responsibility, has agreed to responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other rights or responsibilities in respect of the shipowner are derived from Article 1(1)(b) of the Convention.

INDEX OF MARITIME LABOUR NOTICE

This is an index of current Maritime Labour Notices (MLNs). While regular basis the latest MLNs will be available on our website and record.
 Most Regulations and notices are available on the Isle www.isle.gov.gov.im or by contacting marina.survey@isle.im

MLN 001	Index of MLNs
MLN 1.1	Young Persons
MLN 1.2	Medical Certificates
MLN 1.3	Training and Qualifications
MLN 1.4	Recruitment and placement
MLN 1.4.8	Possible problems signing on a non MLC ship
MLN 2.1	Seafarers' Employment Agreements
MLN 2.2	Seafarers' wages
MLN 2.3	Hours of work and hours of rest
MLN 2.4	Entitlement to leave
MLN 2.5	Repatriation
MLN 2.6	Seafarer compensation for the ship's loss or for
MLN 3.1	Accommodation & recreational facilities
MLN 3.2	Food and catering
MLN 4.1	Medical care on board ship and ashore
MLN 4.2	Shipowner's liability
MLN 4.3a	Health & safety policies
MLN 4.3b	Health & safety - vibration
MLN 4.3c	Health & safety - noise
MLN 4.3d	Health & safety - chemicals
MLN 4.3e	Reporting accidents, incidents & diseases
MLN 4.4	Access to shore based welfare facilities
MLN 5.1.3&5.1.4	Certification, inspection and enforcement
MLN 5.1.5	On board complaint procedure
MLN 6.0	Amendments to DMLC Part II and SEA

Merchant Shipping (Maritime Labour Convention) Regulations 2013 Regulation 1

Statutory Document No. 0234/2013

Merchant Shipping Act 1988

MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) REGULATIONS 2013

Approved by Tynwald: 9 July 2013
 Coming into Operation: 20 August 2013

The Department of Economic Development makes the following Regulations under section 28 of the Merchant Shipping Act 1988.

PART 1 - INTRODUCTORY

- 1 **Title**
These Regulations are the Merchant Shipping (Maritime Labour Convention) Regulations 2013.
- 2 **Commencement**
If approved by Tynwald, these Regulations come into operation on 20 August 2013.
- 3 **Application**
 - (1) Unless provided otherwise these Regulations apply to all seafarers and all Manx ships wherever they may be, from the dates prescribed in relation to those vessels in regulation 189 (Part 26 - Transitional provisions and consequential amendments).
 - (2) Part 24 (Inspections in port) and Part 25 (Dishore seafarer complaint handling procedures) apply to a foreign ship calling at a port in the Island from the date which falls 12 months after the date the Maritime Labour Convention is extended to the Island.
 - (3) These Regulations do not apply to -
 - (a) pleasure vessels;
 - (b) ships engaged in fishing or similar pursuits;

INTERNATIONAL LABOUR CONFERENCE

MARITIME
LABOUR CONVENTION, 2006

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 with exception of pleasure vessels and fishing vessels. 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);
- 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).

Copies of the [Regulations](#) and [MLNs](#) are obtainable from:

- Isle of Man Ship Registry, Department of Economic Development, St Georges Court, Upper Church Street, Douglas, Isle of Man, IM1 1EX.
- www.iomshipregistry.com.

Copies of the Maritime Labour Convention 2006 can be obtained from the International Labour Organisation - www.ilo.org/mlc.

Amendments to the MLC Regulations which came into effect in 2016

- Maritime Labour Convention (Amendment) Regulations SD 2016/0328

The amendments are to MLC Regulation 2.5 'Repatriation' and MLC Regulation 4.2 'Shipowners liability'. The amendments also clarify restricted and prohibited tasks for young seafarers.

Amendments to MLNs which came into effect in 2016

- The latest MLNs as of 1st January 2017 are listed below:

MLN Number	MLN Title	Date Last Amended	Latest Revision
MLN 1	Index of MLNs	Jan 16	Rev 7
MLN 1.1	Young Persons	Aug 12	Rev 1
MLN 1.2	Medical Certificates	Apr 13	Rev 2
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	Apr 13	Rev 5
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	Mar 15	Rev 3
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 & 5.1.4	Certification, Inspection and Enforcement	Apr 13	Rev 1
MLN 5.1.5	On board Complaint Procedures	Apr 13	Rev 1
MLN 6.0	Amendments to DMLC Part II and SEA	Jan 14	Rev 0
MLN 7	MLC Amendments – Financial Security	Dec 16	Rev 0

MLNs withdrawn:

None.

2. Isle of Man System of Inspection

For Isle of Man registered ships to which the MLC applies, the Isle of Man Ship Registry 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. IOMSR is a Division of the Isle of Man Government Department of Economic Development.

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

- Inspections in order to certificate Isle of Man registered ships of 500 gross tonnage or over engaged in international voyages pursuant to the requirement of MLC 5.1.3/6.
- Inspections of ships less than 500 gross tonnage operating commercially.
- Inspections in order to certificate recruitment and placement services based in the Isle of Man pursuant to the requirement of MLC A1.4/2.
- Inspections may also be carried out under the following circumstances:-
 - o Isle of Man registered ships worldwide to which the MLC applies where a complaint has been made.
 - o 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).
 - o Foreign flag ships to which the MLC applies in Isle of Man waters where a complaint has been made (MLC 5.2.2).

From August 2013 until April 2017 IOMSR has conducted MLC inspections using exclusive IOMSR surveyors who fulfil the requirement of "inspector" as prescribed by MLC A5.1.4/7. Surveyors from the Ship Registry are empowered to conduct inspections at appropriate intervals and at any other time when given cause to do so. The surveyors have been trained to carry out MLC inspections in accordance with the requirements of MLC A5.1.4 and MLC B5.1.4.

From April 2017 Recognised Organisations (RO) will also be delegated to carry out MLC inspections on behalf of the IOMSR as permitted by MLC 5.1.2/1 and where the operator has elected to have the delegation applied. Authorised ROs such as Classification Societies are stated in Manx Shipping Notice 020. RO MLC inspectors also fulfil the requirement of "inspector" as prescribed by MLC A5.1.4/7.

In addition to MLC Inspections by ROs Isle of Man surveyors will also attend ships for 'Flag State Inspections' and may also inspect MLC related items as part of the inspection.

MLC inspections are conducted for each registered ship to which MLC applies at intervals not exceeding 3 years. It is arranged that the surveyors complete the MLC inspection at the same time as the other audits and inspections. Under this arrangement inspections under MLC take place at intervals of less than 3 years which ensures compliance with MLC A5.1.4/4 of the MLC.

IOMSR utilises a computerised reporting and filing system covering a range of ship certification and inspections which includes MLC inspections. This enhances the ability to plan forthcoming MLC inspections, analyse the findings, and monitor any deficiencies raised during inspections. Where an RO conducts the MLC inspection IOMSR will continue to monitor and analyse findings and deficiencies and may take appropriate action in addition to that of the RO.

The computerised reporting and filing system at IOMSR fulfils the requirement for maintaining records of inspections as required by MLC A5.1.4/13.

3. Ships and Companies Inspected

The following is an inspection record for Isle of Man registered ships, foreign flagged ships and recruitment & placement services to which the MLC applies attended by Isle of Man Inspectors in 2016.

Following an inspection of a ship or a company (for recruitment and placement services) a report is made by the inspector including a list of any deficiencies to be rectified. A deficiency list stating what items are to be rectified is left with the ship's master or company representative before the inspector leaves the ship or company.

MLC reports issued to the ship or yacht are required to be displayed in a conspicuous place on board as per MLC A5.1.4/12.

3.1 Isle of Man Registered Ships Inspected

Isle of Man Registered Ships		1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
LESS than 500GT	with MLC deficiencies	1	7	3	2	13
	with no MLC deficiencies	1	-	-	-	1
GREATER than 500GT	with MLC deficiencies	15	16	10	9	50
	with no MLC deficiencies	20	15	18	21	74
Total MLC Inspections		37	38	31	32	138

On the ships where deficiencies were identified requiring rectification, the deficiencies can be broken down as follows.

Deficiencies raised regarding:	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
1. Minimum Age	-	-	-	-	
2. Medical Certificates	3	4	-	-	7
3. Qualification of Seafarers	1	6	3	2	12
4. Seafarer Employment Agreements	4	15	10	4	33
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service	1	-	1	2	4
6. Hours of Work and Rest	1	7	4	2	14
7. Manning Levels for the Ship	-	-	-	-	
8. Accommodation	3	4	1	2	10
9. On Board Recreational Facilities	-	3	1	-	4
10. Food and Catering	1	5	3	3	12
11. Health and Safety and Accident Prevention	3	11	5	3	22
12. On Board Medical Care	3	4	1	1	9
13. On Board Complaint Procedures	2	3	-	-	5
14. Payment of Wages	-	2	-	-	2
Total	22	64	29	19	134

Please note that on some ships more than one deficiency may have been issued to the same ship. All deficiencies were resolved to the satisfaction of IOMSR.

Any deficiencies raised are entered into IOMSR's database and continually monitored. Once the deficiencies have been rectified satisfactorily they are 'closed out' on the database.

The following tables show a breakdown of the number of MLC deficiencies raised per ship type.

Less than 500 GT Ships Deficiency Breakdown per Ship Type (ships issued with a DMLC 1 and DMLC 2 only)	Comm. Yacht
1. Minimum Age	-
2. Medical Certificates	2
3. Qualification of Seafarers	5
4. Seafarer Employment Agreements	11
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service	1
6. Hours of Work and Rest	8
7. Manning Levels for the Ship	-
8. Accommodation	2
9. On Board Recreational Facilities	2
10. Food and Catering	5
11. Health and Safety and Accident Prevention	9
12. On Board Medical Care	2
13. On Board Complaint Procedures	1
14. Payment of Wages	2
Total Deficiencies	50
Ships Inspected with Deficiencies	13

Greater than 500 GT Ships Deficiency Breakdown per Ship Type (ships issued with a MLC certificate, DMLC 1 and DMLC 2)	Passenger	Oil	Chemical	Gas	Bulk	Offshore/ Standby	Other	Comm. Yacht	Total
1. Minimum Age	-	-	-	-	-	-	-	-	-
2. Medical Certificates	-	3	-	2	-	-	-	-	5
3. Qualification of Seafarers	-	2	-	-	1	1	1	2	7
4. Seafarer Employment Agreements	-	7	-	1	2	7	2	3	22
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service	-	2	-	-	1	-	-	-	3
6. Hours of Work and Rest	-	-	-	1	1	-	1	3	6
7. Manning Levels for the Ship	-	-	-	-	-	-	-	-	-
8. Accommodation	-	2	-	2	1	2	-	1	8
9. On Board Recreational Facilities	-	1	-	-	-	-	-	1	2
10. Food and Catering	-	2	-	1	-	3	-	1	7
11. Health and Safety and Accident Prevention	-	3	-	3	2	2	1	2	13
12. On Board Medical Care	-	1	-	3	1	1	-	1	7
13. On Board Complaint Procedures	-	1	-	1	1	-	1	-	4
14. Payment of Wages	-	-	-	-	-	-	-	-	-
Total Deficiencies	0	24	0	14	10	16	6	14	84
Ships Inspected with Deficiencies	0	16	0	7	7	8	6	6	50

The table below shows a comparison of 2016's Isle of Man inspections and deficiencies compared with the previous years.

Year	2014	2015	2016
*Number of MLC Ships:	-	477	468
Number of Inspections	258	160	138
Ships with no MLC Deficiencies	110	89	75
Ships with MLC Deficiencies	148	71	63
Deficiencies raised:	429	134	134
1. Minimum Age	1	-	-
2. Medical Certificates	16	3	7
3. Qualification of Seafarers	35	11	12
4. Seafarer Employment Agreements	102	41	33
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service	19	7	4
6. Hours of Work and Rest	37	11	14
7. Manning Levels for the Ship	1	-	-
8. Accommodation	25	12	10
9. On Board Recreational Facilities	3	-	4
10. Food and Catering	64	21	12
11. Health and Safety and Accident Prevention	79	16	22
12. On Board Medical Care	18	4	9
13. On Board Complaint Procedures	18	5	5
14. Payment of Wages	11	3	2

*The number of ships is based on an average of the number of ships to which MLC applies on the Isle of Man shipping register in the months of June and December of each year. The number of ships includes the following:

Less than 500GT (issued with DMLC Part 1 and Part 2)

Greater than 500GT (issued with MLC Certificate, DMLC Part 1 and Part 2)

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
Total companies inspected	0	6	1	1	8
Companies with no deficiencies	0	6	1	1	8
Companies with deficiencies	0	0	0	0	0

As per MLN1.4 companies carrying out recruitment and placement services of seafarers based on the Isle of Man are inspected annually for compliance with the IOM requirements and issued with a Certificate of Compliance, valid for 5 years.

4. Seafarers subject to Isle of Man Legislation

All "seafarers" defined as per MLC Article II(f) sailing on Isle of Man registered ships to which the MLC Regulations are applicable fall under the MLC Code requirements. Seafarers working on such ships are required to be listed in the "List of Crew for IOM Registered Ships" as per Manx Shipping Notice 004.

The following sections outline the various areas where MLC requirements have directly affected the seafarer and where deficiencies have been found during Isle of Man MLC inspections in these areas. A summary of deficiencies found in each area has been provided so that shipping companies and seafarers may benefit from the experience gained from MLC inspections across the fleet.

4.1 Minimum Age (Young Persons)

The minimum age of a seafarer permitted to be employed on an Isle of Man registered ship is 16 years old however special provisions are in force for seafarers under the age of 18 years as stated in MLN1.1.

Deficiencies concerning seafarer minimum age in 2016 included:

- none

4.2 Seafarer Medical Certificates

All seafarers are required to hold a valid medical certificate as per the requirements of SD 0234/2013 Regulation 8 and MLN1.2.

Deficiencies concerning seafarer medical certificates in 2016 included:

- photocopies of certificates only;
- medical certificates inspected found not in compliance with MLC requirements;
- seafarers found not in possession of a valid medical certificate.

4.3 Seafarer Qualifications

All officers and crew are required to be qualified in accordance with Isle of Man Merchant Shipping (Manning and STCW¹) Regulations 2014 (SD 2014/0238) and carry their original qualification documents with them on board. All documents are subject to inspection at any time by relevant authorities.

Ship's officers are required to hold a valid STCW Certificate of Competency appropriate to their role on board. If the seafarer does not hold a United Kingdom Certificate of Competency then their national certificate of competency is required to be supplemented by an Isle of Man issued STCW endorsement.

Deficiencies concerning seafarer qualifications in 2016 included:

- seafarers had no Isle of Man STCW endorsement for the type of ship;
- seafarer only in possession of copies of STCW certification;
- no food hygiene certificates for seafarers preparing food on board;
- seafarers not in possession of STCW basic safety training course certification;
- seafarers not in possession of STCW security awareness certification;
- seafarer's ECDIS training certificates were missing;
- Chief Engineer's qualifications found not valid for the size and trading area of the ship.

¹ International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended and includes the Seafarer's Training Certification and Watchkeeping Code (STCW Code).

Isle of Man STCW endorsements are issued pursuant to the requirements of SD 2014/0238 Reg. 17 subject to the provisions of the STCW Convention Reg. I/2 para 5.

The following table shows Isle of Man STCW endorsements issued in 2016.

STCW ref	Capacity	Q1	Q2	Q3	Q4	Total
II / 2	Master	197	241	251	297	986
II / 2	Ch. Officer	90	110	149	126	475
II / 1	OOW Nav.	185	243	245	267	940
III / 2	Ch. Eng.	194	210	234	261	899
III / 2	2 nd Eng.	80	101	114	119	414
III / 1	OOW Eng.	162	222	225	271	880
III / 6	ETO	5	22	35	84	146
	Total	913	1149	1253	1425	4740

For a list of all the countries that are currently recognised by IOMSR for the issue of Isle of Man endorsements please refer to the IOMSR website.

4.4 Seafarer Employment Agreements (SEAs)

All seafarers employed on Isle of Man registered ships are required to have a valid SEA as per the requirements of MLN 2.1.

Deficiencies concerning seafarer SEAs in 2016 included:

- SEAs found to have incorrect signatories and company references;
- SEA found to contain terms and conditions not in compliance with MLC;
- SEA missing MLC required content;
- SEA details found completed with incorrect details;
- SEAs found not signed by the company or the seafarer;
- SEA not provided to seafarer;
- SEA had expired;
- documents not provided to seafarer as per SEA requirements;
- the collective bargaining agreement associated with the SEA was not on board;
- conflicting terms and conditions between the seafarer's SEA and CBA;
- Record of employment on board not provided to the seafarer.

4.5 Seafarer's Wages

All seafarers are required to be paid in line with the terms of their SEAs at intervals not exceeding one month as per the requirements of MLN 2.2.

Deficiencies concerning seafarer wages in 2016 included:

- no wage slips provided to seafarers;
- currency not stated in DMLC Part II

4.6 Seafarer Hours of Work and Rest

All seafarers must comply with the minimum rest requirements as prescribed by IOMSR in MLN 2.3.

Deficiencies concerning seafarer rest in 2016 included:

- breach of minimum rest hours;
- hours of rest records found not signed;
- incorrect recording documents being used by seafarers on board;
- Schedule of Working arrangements not posted;
- software for recording hours was not provided on board as per company requirements;
- seafarers not recording their hours of rest.

4.7 Seafarer Complaints

All seafarers must be provided with a copy of the ship's on-board complaints procedure as prescribed by MLC 5.1.5/4.

Deficiencies concerning the on-board complaints procedure in 2016 included:

- Incorrect On-board complaints procedure found on board for another company;
- Procedure not in accordance with MLC requirements;
- Placard required to be displayed to seafarers by company procedures was found missing.

A seafarer has the right to bring their complaint directly to IOMSR. All complaints received by IOMSR are treated in confidence. The following is a summary of seafarer complaints received and investigated by IOMSR in 2016:

10 Complaints were received from seafarers serving on Isle of Man ships – MLC A5.1.5/2:

- Non-payment of wages as per SEA – commercial yacht – x2 complaints
- Non-payment of wages as per SEA – oil tanker – x2 complaints
- Non-payment of medical expenses as per SEA – commercial yacht – x1 complaint
- Non-payment of travel costs as per SEA – commercial yacht – x1 complaint
- Seafarer instructed to falsify hours of rest records – commercial yacht – x1 complaint
- Breach of seafarer's hours of rest – commercial yacht – x1 complaint
- Seafarer believed to be unfairly dismissed – commercial yacht – x1 complaint
- Seafarer not provided leave and pay as per SEA – commercial yacht – x1 complaint

Complaints received from seafarers on foreign flag ships in Isle of Man waters – MLC 5.2.2:

- none.

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

5.1 Foreign Flagged Ships Inspected in Isle of Man Ports

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

The above represents Port State Control (PSC) inspections of foreign flagged ships in Isle of Man territorial waters. Please note where no MLC deficiencies have been raised deficiencies may have been raised in other areas.

5.2 Isle of Man Ships Inspected in Foreign Ports

Port State Control (PSC) inspections and MLC deficiencies issued to Isle of Man ships by PSC Authorities worldwide are as follows. Ships may have been detained or issued deficiencies relating to non-MLC matters but are not counted for the purposes of this report. PSC codes relating to MLC and ILO are counted. More than one MLC deficiency may have been issued during an inspection.

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total
Total Ships Inspected	221	216	202	205	844
Inspections with MLC Detentions:	0	1	0	1	2
Tokyo MOU Region	-	1	-	1	2
Inspections with MLC Deficiencies:	10	16	14	23	63
Paris MOU Region	5	4	7	15	31
Tokyo MOU Region	1	10	4	4	19
United States Coast Guard	1		1		2
Indian MOU Region			1	1	2
Abuja MOU Region				1	1
Caribbean MOU Region					
Latin America MOU Region	1				1
Black Sea MOU Region	1	1	1		3
Mediterranean MOU Region	1	1		1	3
Riyadh MOU Region				1	1
Other					

Inspections Resulting in MLC Deficiencies or Detentions by Ship Type

Ship Type	Q1		Q2		Q3		Q4		Total
	Defic.	Det.	Defic.	Det.	Defic.	Det.	Defic.	Det.	
Bulk	1		4		5		10	1	21
Offshore			1				1		2
Oil	2		2		1		2		7
Gas	1		4	1			4		9
Other Cargo	5		3		6		6		20
Yacht<500GT			1		1				2
Yacht>500GT									0
Passenger	1		1		1				3
Total	10	0	16	1	14	0	23	1	65

The table below shows 2016's PSC inspections of Isle of Man ships worldwide and deficiencies compared with the previous years. The items in brackets show typical deficiency items raised.

Year	2014	2015	2016
Number of Ships Inspected:	946	923	844
*Inspections with no MLC Deficiencies or Detentions:	884	847	779
*Inspections with MLC Detentions:	0	2	2
MLC Certification (MLC certificate missing on board)			1
3. Qualification of Seafarers (A master's qualifications were found unsuitable for the ship size and trading area)		1	
11. Health and Safety and Accident Prevention (safety railing defective in vicinity of rescue boat)			1
14. Payment of Wages (Found repeated cases of non-payment of wages)		1	
*Inspections with MLC Deficiencies:	62	75	63
Deficiencies raised:	111	120	80
1. Minimum Age			
2. Medical Certificates (expired)		2	
3. Qualification of Seafarers (Flag endorsement missing, STCW basic training certificates missing, only copies of certification, tanker endorsements missing, GMDSS licence expired, no ship's cook or food hygiene certificate)		15	8
4. Seafarer Employment Agreements (incorrect ship-owner stated on SEA, expired SEAs)		8	10
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service			
6. Hours of Work and Rest (schedule of working arrangements not posted or incorrect, breach of rest hours, Master and crew not recording rest hours)	6	13	13
7. Manning Levels for the Ship (Master intoxicated prior to departure, not sufficient crew on board as per manning document).		3	
8. Accommodation (lighting, electrical devices, cleanliness, sanitary facilities, heating & ventilation)	10	13	4
9. On Board Recreational Facilities (mess and recreation rooms)	1		
10. Food and Catering (galley facilities and cleanliness, food storage, food preparation, storage temperature, food condition, drinking water)	8	6	4
11. Health and Safety and Accident Prevention (safety committee meetings not recorded, working conditions relating to lighting, ventilation, access to the ship, gangway, slips, electrical, PPE, signs, machine part protection, insulation, engine room cleanliness, anchoring/mooring equipment)	78	56	36
12. On Board Medical Care (hospital, medical equipment, person in charge of medical care)	7	1	
13. On Board Complaint Procedures (not located on board)		2	4
14. Payment of Wages (Method of calculation)	1	1	1

6. Reported Occupational Injuries and Diseases

All deaths and significant injuries to seafarers on board Isle of Man registered ships are required to be reported to IOMSR as per the requirements of Merchant Shipping (Accident Reporting and Investigation) Regulations (SD 815/01). Initial reports to IOMSR are to be made using form ARF1 available on the IOMSR website – see MLN 4.3e and Manx Shipping Notice 003 for more information. All occupational diseases should be reported using form OD001 “Report of a Case of Occupational Disease” – see MLN 4.3e for more information.

The tables in 6.1 to 6.5 below represent seafarer deaths and injuries on board Isle of Man registered ships. Only cases relating to occurrences involving shipboard operations are included in this report. **This report covers MLC ships and MLC defined seafarers only and does not include passengers, guests or visitors.**

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 deaths from natural causes or suicide.

No. of Seafarers*	MLC Ships	
	Number	Rate <i>per 100,000</i>
MLC Fleet estimate	10066	-
Deaths	1	10
Serious injuries	14	139
Minor injuries	20	199

* The number of seafarers is estimated based on a seafarer average per ship type per ship size. 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.

For more information please refer to the “2016 Summary Report of Casualties, Accidents and Incidents on Isle of Man Registered Ships” published on the IOMSR website.

6.1 Number of Seafarers Incurring Injury or Death By Rank and Age Range

Rank	Total	Minor Injury	Serious Injury	Death
Master	1	1		
Ch. Off	2	2		
OOW Nav	2	2		
Ch. Engineer	2	2	1	
2nd Engineer	2	2	1	
OOW Engineer	2	1	2	
ETO / Electrician	0			
Deck Rating	12	4	7	1
Engine Rating	5	2	3	
Deck/Eng. Cadet	1	1		
Cook/Steward	2	2		
Others	1	1		
Total	35	20	14	1

Age Range	Total	Minor Injury	Serious Injury	Death
16-19	1	1		
20-29	12	5	6	1
30-39	11	7	4	
40-49	6	4	2	
50-59	4	3	1	
60+	1		1	
Total	35	20	14	1

6.2 Cases Involving Injury or Death on Board per Ship Type

Type of Ship	Total	Minor Injury	Serious Injury	Death
Passenger Ship	2	1	1	
Oil Tanker	7	3	4	
Chemical Tanker				
Gas Carrier	7	3	4	
Bulk Carrier	3	1	2	
Offshore/Standby Vessel	1	1		
Other Cargo Ship	5	2	3	
Commercial Yacht	8	7		1
Total	33	18	14	1

Please note that more than one person may have been injured in the same case.

6.3 Activities Being Conducted Leading to an Injury or Death Case

	Total	Minor Injury	Serious Injury	Death
Access to the ship	1		1	
Leisure activity	1			1
Moving about the ship	12	8	4	
Mooring and anchoring	1		1	
Operating hatch covers	1	1		
Lifting or carrying by hand	1	1		
Lifting or carrying mechanically	2	1	1	
Painting, cleaning or de-rusting	1		1	
Opening valves	2	1	1	
Opening or lighting a boiler	1		1	
Opening or closing a pressurised vessel	1	1		
Using electrical equipment	1		1	
Overhauling or maintaining rotating equipment	2		2	
Watch keeping duties – Navigation	1	1		
Watch keeping duties – Deck/Cargo	1	1		
Cargo operations	1		1	
Maintenance - machinery	1	1		
Maintenance - other	1	1		
No activity being carried out	1	1		
Total	33	18	14	1

In some cases more than one seafarer was injured from the same activity.

6.4 Occupational Diseases, Injuries and Deaths Reported per Seafarer

Description of Main Injuries	Total Cases	Minor Injury	Serious Injury	Death
Death	1			1
Fracture of skull, pelvis, spine, or a major bone in the arm or leg	5		5	
Other fracture	3	2	1	
Loss of hand or foot	1		1	
Loss of fingers	3		3	
Burn or scald	2	1	1	
Electrical burns	2	2		
Other strains or hernias	1	1		
Crushing injuries	2	2		
Major bruising	3	3		
Puncture wound, cut or laceration	6	4	2	
Back injury	3	2	1	
Smoke inhalation	1	1		
Total Cases	33	18	14	1

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

- None.

Conclusions

In reviewing the MLC inspection regime and accident reports received in 2016 a number of factors have emerged.

- Changes to MLC regulations and Guidance have been made in 2016 and promulgated to the shipping industry. This primarily concerned the ship owner's liability and updated Maritime Labour Notices. (Section 1)
- The Isle of Man system of inspection concerning MLC inspection has performed effectively to date but will be delegated and may be carried out Recognised Organisations from April 2017.
- Isle of Man inspectors attended 138 Isle of Man registered ships world wide and 8 companies on the Isle of Man in 2016. (Section 3.1 and 3.2)

Of the deficiencies issued to ships the biggest source of deficiencies relates to seafarer employment agreements accounting for 25% of all deficiencies issued in 2016. This follows the same trend as previous years. (Section 3.1)

Inspections of Isle of Man licensed companies yielded good results with no deficiencies.

- Seafarer documentation (ie qualifications, medical certificates and seafarer employment agreements) remains a continuous source of deficiencies relating to seafarers, ie 39% of Isle of Man MLC deficiencies and 23% of PSC MLC deficiencies issued to Isle of Man ships. (Section 3.1 and 5.2)
- Complaints concerning non-payment of wages and expenses accounted for 60% of seafarer complaints submitted to the Isle of Ship Registry in 2016. (Section 4.7)
- Of the inspections conducted by PSC 92% resulted in no MLC deficiencies or detentions. Of the remainder 2 ships were detained over MLC certification and Health and safety issues. Of the ships issued with deficiencies 45% related to issues concerning health & safety and accident prevention. (Section 5.2)
- In 2016 there were 20 minor injuries, 14 serious injuries and 1 seafarer fatality reported to IOMSR. The most common injuries sustained were major fractures and puncture wounds, cuts or laceration. Moving about the ship lead to 36% of seafarer injuries in 2016. (Section 6)
- No accidents were reported and no complaints were received from foreign flagged ships in Isle of Man territorial waters in 2016.

The process of conducting MLC inspections will be continually reviewed by the Isle of Man Ship Registry to ensure continued effectiveness.

The Isle of Man Ship Registry welcomes any feedback concerning this report. If you have any comments or suggestions for future reports please email the Isle of Man Ship Registry at: marine.survey@gov.im.

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

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