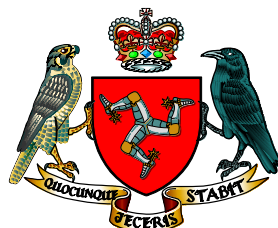


# Isle of Man Ship Registry

## Maritime Labour Convention Annual Report 2014

Isle of Man Government  
Department of Economic Development



**Isle of Man  
Government**

*Reiltys Ellan Vannin*



## **Introduction**

The Maritime Labour Convention 2006 (MLC) was extended to the Isle of Man on 7<sup>th</sup> August 2013 and came into effect on 20<sup>th</sup> 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 1<sup>st</sup> January 2014 to 31<sup>st</sup> December 2014.

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

Isle of Man Ship Registry, Department of Economic Development,  
St George's Court, Upper Church Street, Douglas, IM1 1EX, Isle of Man, British Isles.

Tel +44 1624 688500

Fax +44 1624 688501

Email: [marine.survey@gov.im](mailto:marine.survey@gov.im)

[www.iomshipregistry.com](http://www.iomshipregistry.com)

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Form C-053

**Maritime Labour Certificate**  
(in duplicate)

Issued under the provisions of Article V and Title 5  
Maritime Labour Convention, 2006  
(referred to below as "The Convention")  
(Note: This Certificate and note a Declaration of Maritime Labour Conditions  
Under the authority of the Government of the Isle of Man)

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

This is to certify:

- That this ship has been inspected and verified to be in compliance with the provisions of the attached Declaration of Maritime Labour Compliance.
- That the seafarers' working and living conditions specified in Appendix A/B correspond to the above-mentioned country's national requirements (any national requirements not mentioned in the Declaration of Maritime Labour Compliance).

This Certificate is valid until \_\_\_\_\_ subject to inspections in accordance with S.10 of the Convention.

This Certificate is valid only when the Declaration of Maritime Labour Compliance is attached.

Completion date of the inspection referred to under (1) above was \_\_\_\_\_  
Inspected at Douglas on \_\_\_\_\_

(Signature of the duly authorized official issuing the certificate)      Official Use

This certificate is issued by or on behalf of the Isle of Man under the responsibility of the United Kingdom.  
\*Shipowner means the owner of the ship or another organization or person, such as the manager, agent or charterer, who is responsible for the operation of the ship from the vessel and who, in assuming such responsibility, has assumed the obligations imposed on shipowners in accordance with the Convention, regardless of whether any liability or responsibility on behalf of the shipowner lies under Article III(2) of the Convention.

MARTIME LABOUR NOTICE

MLN 001  
(Rev 4)

DEPARTMENT OF ECONOMIC DEVELOPMENT

**INDEX OF MARITIME LABOUR NOTICE**  
The aim of this notice is to provide an index of current Maritime Labour Notices.  
The latest MLN revisions are available on our website [www.isma.gov.im](http://www.isma.gov.im)

MLN 001	Index of MLNs	Jan
MLN 1.1	Young Persons	Aug
MLN 1.2	Medical Certificates	Apr
MLN 1.3	Training and Qualifications	Apr
MLN 1.4	Recruitment and placement	Aug
MLN 1.4.8	Possible problems signing on a non MLC ship	Aug
MLN 2.1	Seafarers Employment Agreements	Apr
MLN 2.1a	Crew Lists	July
MLN 2.2	Seafarers' Wages	Feb
MLN 2.3	Hours of work and hours of rest	Apr
MLN 2.4	Entitlement to leave	Feb
MLN 2.5	Repatriation	Apr
MLN 2.6	Seafarers compensation for the ship's loss or foundering	Oct
MLN 3.1	Accommodation & Recreational facilities	Apr
MLN 3.2	Food and catering	Feb
MLN 4.1	Medical care on board ship and ashore	Apr
MLN 4.2	Shipowners liability	Nov
MLN 4.3a	Health & Safety Policies	Aug
MLN 4.3b	Health & Safety - Vibration	Aug
MLN 4.3c	Health & Safety - Noise	Sept
MLN 4.3d	Health & Safety - Chemicals	Sept
MLN 4.3e	Reporting accidents, incidents & diseases	Oct
MLN 4.4	Access to shore based welfare facilities	Mar
MLN 5.0	Implementation Dates FAQ	Mar
MLN 5.1.3&5.1.4	Certification, inspection and enforcement	Apr
MLN 5.1.5	On board complaint procedures	Apr
MLN 6.0	Amendments to DMLC Part II and SEA	Jan

Page 1 of 1  
Last updated January 2014 Rev 4

Merchant Shipping (Maritime Labour Convention) Regulations 2013

Statutory Document No. 0234/2013

Merchant Shipping Act 1985

**MERCHANT SHIPPING (MARTIME 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 1985.

**PART 1 - INTRODUCTORY**

- Title**  
These Regulations are the Merchant Shipping (Maritime Labour Convention) Regulations 2013.
- Commencement**  
If approved by Tynwald, these Regulations come into operation on 20 August 2013.
- Application**
  - Unless provided otherwise these Regulations apply to all seagoing ships wherever they may be, from the date of their coming into operation in relation to those vessels in regulation 189 (Part 28 - provisions and consequential amendments).
  - Part 24 (Inspections in port) and Part 25 (Onshore seafarer handling procedures) apply to a foreign ship calling in the port of its business or for operational reasons to a port in the Isle of Man which falls 12 months after the date the Merchant Convention is extended to the Island.
  - These Regulations do not apply to -
    - pleasure vessels;
    - ships engaged in fishing or similar pursuits;

SD 0234/13

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 20<sup>th</sup> 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.

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 as follows:-

- Medical Stores (SD 735/01)
- Accident Reporting and Investigation (SD 815/01)
- Manning and Training (SD 2014/0238)
- Crew Accommodation (SI 1978/795)
- Maintenance of Seamen's Dependants (SI 1972/1635)
- Provisions and Water (GC 34/90)
- Official Log Books (GC3 63/92)

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](http://www.iomshipregistry.com).

Copies of the Maritime Labour Convention 2006 can be obtained from the International Labour Organisation - [www.ilo.org/mlc](http://www.ilo.org/mlc).

### Amendments to the MLC Regulations which came into effect in 2014

- Introduction of SD 2014/0238 Merchant Shipping (Manning and STCW) Regulations 2014 amending SD 723/1996 Merchant Shipping (Manning and Training) Regulations 1996.
- Amendment by SD 2014/0238 Merchant Shipping (Manning and STCW) Regulations 2014 to Merchant Shipping (Maritime Labour Convention) Regulations 2013 (SD 234/2013) regulations 9(3), 60(3) and 60(4).

### Amendments to MLNs which came into effect in 2014

- Introduction of MLN 6.0.

The latest MLNs as of January 2015 are listed below.

<b>MLN Number</b>	<b>MLN Title</b>	<b>Date Last Amended</b>	<b>Latest Revision</b>
<b>MLN 1</b>	Index of MLNs	Jan 14	Rev 4
<b>MLN 1.1</b>	Young Persons	Aug 12	Rev 1
<b>MLN 1.2</b>	Medical Certificates	Apr 13	Rev 2
<b>MLN 1.3</b>	Training and Qualifications	Apr 13	Rev 0
<b>MLN 1.4</b>	Recruitment and Placement	Aug 12	Rev 0
<b>MLN 1.4.8</b>	Possible Problems Signing on a non MLC Ship	Aug 12	Rev 0
<b>MLN 2.1</b>	Seafarer's Employment Agreements	Apr 13	Rev 5
<b>MLN 2.1a</b>	Crew Lists	July 13	Rev 0
<b>MLN 2.2</b>	Seafarer's Wages	Feb 13	Rev 1
<b>MLN 2.3</b>	Hours of Work and Hours of Rest	Apr 13	Rev 3
<b>MLN 2.4</b>	Entitlement to Leave	Feb 13	Rev 2
<b>MLN 2.5</b>	Repatriation	Apr 13	Rev 1
<b>MLN 2.6</b>	Seafarer's Compensation for the Ship's Loss or Foundering	Oct 12	Rev 3
<b>MLN 3.1</b>	Accommodation & Recreational facilities	Apr 13	Rev 2
<b>MLN 3.2</b>	Food and Catering	Feb 12	Rev 0
<b>MLN 4.1</b>	Medical Care on Board Ship and Ashore	Apr 13	Rev 2
<b>MLN 4.2</b>	Shipowner's Liability	Nov 12	Rev 4
<b>MLN 4.3a</b>	Health & Safety Policies	Aug 12	Rev 0
<b>MLN 4.3b</b>	Health & Safety - Vibration	Aug 12	Rev 0
<b>MLN 4.3c</b>	Health & Safety - Noise	Sept 12	Rev 0
<b>MLN 4.3d</b>	Health & Safety - Chemicals	Sept 12	Rev 0
<b>MLN 4.3e</b>	Reporting Accidents, Incidents & Diseases	Oct 12	Rev 0
<b>MLN 4.4</b>	Access to Shore Based Welfare Facilities	Mar 12	Rev 0
<b>MLN 5.0</b>	Implementation Dates FAQ	Mar 13	Rev 0
<b>MLN 5.1.3 &amp; 5.1.4</b>	Certification, Inspection and Enforcement	Apr 13	Rev 1
<b>MLN 5.1.5</b>	On board Complaint Procedures	Apr 13	Rev 1
<b>MLN 6.0</b>	Amendments to DMLC Part II and SEA	Jan 14	Rev 0

## **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).

The IOMSR endeavours to conduct all 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.

In exceptional circumstances it is not always possible for IOMSR surveyors to attend every ship. Where this occurs a Classification Society may be appointed as a Recognised Organisation (RO) as permitted by MLC 5.1.2/1 in order to carry out the MLC inspections on behalf of IOMSR. Classification Societies which may be appointed are listed in Manx Shipping Notice 20.

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. 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 Premises Inspected**

The following is an inspection record for Isle of Man registered ships, foreign flagged ships and recruitment & placement services inspected in 2014 to which the MLC applies.

Following an inspection of a ship or premises 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 premises representative before the inspector leaves the ship or premises.

MLC reports issued to the ship's master 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**

<b>Isle of Man Registered Ships</b>		<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>Total</b>
<b>LESS than 500GT</b>	with MLC deficiencies	2	19	12	3	<b>36</b>
	with no MLC deficiencies	3	2	1	1	<b>7</b>
<b>GREATER than 500GT</b>	with MLC deficiencies	37	42	25	10	<b>112</b>
	with no MLC deficiencies	27	38	24	14	<b>103</b>
<b>Total MLC Inspections</b>		<b>69</b>	<b>101</b>	<b>62</b>	<b>28</b>	<b>258</b>

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

<b>Deficiencies raised regarding:</b>	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>Total</b>
1. Minimum Age			1		<b>1</b>
2. Medical Certificates	2	11	2	1	<b>16</b>
3. Qualification of Seafarers	7	18	7	3	<b>35</b>
4. Seafarer Employment Agreements	28	41	27	6	<b>102</b>
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service	4	6	7	2	<b>19</b>
6. Hours of Work and Rest	6	14	14	3	<b>37</b>
7. Manning Levels for the Ship		1			<b>1</b>
8. Accommodation	3	12	8	2	<b>25</b>
9. On Board Recreational Facilities		3			<b>3</b>
10. Food and Catering	20	25	14	5	<b>64</b>
11. Health and Safety and Accident Prevention	9	39	26	5	<b>79</b>
12. On Board Medical Care	2	6	9	1	<b>18</b>
13. On Board Complaint Procedures	6	7	3	2	<b>18</b>
14. Payment of Wages	1	4	4	2	<b>11</b>
<b>Total</b>	<b>88</b>	<b>187</b>	<b>122</b>	<b>32</b>	<b>429</b>

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.

<b>Less than 500 GT Ships Deficiency Breakdown per Ship Type</b> (ships issued with a DMLC 1 and DMLC 2 only)	<b>Comm. Yacht</b>	<b>Oil</b>	<b>Total</b>
1. Minimum Age			
2. Medical Certificates	9		<b>9</b>
3. Qualification of Seafarers	19		<b>19</b>
4. Seafarer Employment Agreements	24	2	<b>26</b>
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service	2		<b>2</b>
6. Hours of Work and Rest	21		<b>21</b>
7. Manning Levels for the Ship	1		<b>1</b>
8. Accommodation	6		<b>6</b>
9. On Board Recreational Facilities			
10. Food and Catering	20		<b>20</b>
11. Health and Safety and Accident Prevention	50		<b>50</b>
12. On Board Medical Care	10	1	<b>11</b>
13. On Board Complaint Procedures	7		<b>7</b>
14. Payment of Wages	8		<b>8</b>
<b>Total Deficiencies</b>	<b>177</b>	<b>3</b>	<b>180</b>
<b>Ships Inspected with Deficiencies</b>	<b>35</b>	<b>1</b>	<b>36</b>

<b>Greater than 500 GT Ships Deficiency Breakdown per Ship Type</b> (ships issued with a MLC certificate, DMLC 1 and DMLC 2)	<b>Passenger</b>	<b>Oil</b>	<b>Chemical</b>	<b>Gas</b>	<b>Bulk</b>	<b>Offshore/ Standby</b>	<b>Other</b>	<b>Comm. Yacht</b>	<b>PV*</b>	<b>Total</b>
1. Minimum Age							1			<b>1</b>
2. Medical Certificates		3				2	1	1		<b>7</b>
3. Qualification of Seafarers		5		1	1	4	2	3		<b>16</b>
4. Seafarer Employment Agreements	1	11		8	11	16	26	3		<b>76</b>
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service		6		3	2	1	5			<b>17</b>
6. Hours of Work and Rest		1		3	1	1	7	3		<b>16</b>
7. Manning Levels for the Ship										
8. Accommodation		3		3	6		7			<b>19</b>
9. On Board Recreational Facilities		1			1	1				<b>3</b>
10. Food and Catering		10		4	7	3	17	2	1	<b>44</b>
11. Health and Safety and Accident Prevention		6		2	6	3	10	2		<b>29</b>
12. On Board Medical Care		2		1	2	1	1			<b>7</b>
13. On Board Complaint Procedures		4		2	1	1	3	7		<b>11</b>
14. Payment of Wages				1				2		<b>3</b>
<b>Total Deficiencies</b>	<b>1</b>	<b>50</b>		<b>27</b>	<b>37</b>	<b>33</b>	<b>80</b>	<b>16</b>	<b>1</b>	<b>249</b>
<b>Ships Inspected with Deficiencies</b>	<b>1</b>	<b>24</b>		<b>12</b>	<b>18</b>	<b>15</b>	<b>37</b>	<b>4</b>	<b>1</b>	<b>112</b>

**PV\*** - Pleasure vessels. Although not statutorily required, some vessels choose to comply with the Maritime Labour Convention and inspection on a voluntary basis.



The table below shows a comparison of 2014's Isle of Man inspections and deficiencies compared with the previous year.

<b>Year</b>	<b>2013</b>	<b>2014</b>
<b>Number of Inspections</b>	<b>217</b>	<b>258</b>
<b>Ships with no MLC Deficiencies</b>	<b>60</b>	<b>110</b>
<b>Ships with MLC Deficiencies</b>	<b>157</b>	<b>148</b>
<b>Deficiencies raised</b>	<b>430</b>	<b>429</b>
1. Minimum Age	8	1
2. Medical Certificates	38	16
3. Qualification of Seafarers	19	35
4. Seafarer Employment Agreements	129	102
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service	35	19
6. Hours of Work and Rest	23	37
7. Manning Levels for the Ship	2	1
8. Accommodation	8	25
9. On Board Recreational Facilities	5	3
10. Food and Catering	45	64
11. Health and Safety and Accident Prevention	85	79
12. On Board Medical Care	7	18
13. On Board Complaint Procedures	24	18
14. Payment of Wages	2	11

### **3.2 Isle of Man MLC Licensed Premises (Recruitment and Placement Services)**

<b>Isle of Man Premises</b>	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>	<b>Total</b>
<b>Total premises inspected</b>	0	5	1	0	<b>6</b>
<b>Premises with no deficiencies</b>	0	5	1	0	<b>6</b>
<b>Premises with deficiencies</b>	0	0	0	0	<b>0</b>

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 vessels" as per MLN 2.1(A).

The following sections outline the various areas where MLC requirements have directly affected the seafarer and where deficiencies have been found during 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 the 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 2014 included:

- Inadequate company procedures stated

### **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 2014 included:

- unable to verify medical certificate in compliance with either MLC2006, STCW or ILO73 conventions;
- medical certificate had expired;
- seafarer 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 STCW<sup>1</sup>) 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.

Deficiencies concerning seafarer qualifications in 2014 included:

- a seafarer had lost his Isle of Man STCW endorsement;
- seafarer only in possession of copies of STCW certification;
- cook had no ship's cook qualification or food hygiene certificate;
- seafarer not in possession of STCW basic safety training course certification;
- no ECDIS training certificates for navigation officers sailing on an ECDIS ship;
- security familiarisation certificates were missing;
- tanker basic training certificates were missing.

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

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<sup>1</sup> 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).

their national certificate of competency is required to be supplemented by an Isle of Man issued STCW endorsement.

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 2014.

<b>STCW ref</b>	<b>Capacity</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Total</b>
II / 2	Master	178	170	163	178	<b>689</b>
II / 2	Ch. Officer	121	104	141	102	<b>468</b>
II / 1	OOW Nav.	254	216	199	202	<b>871</b>
III / 2	Ch. Eng.	156	136	173	131	<b>596</b>
III / 2	2 <sup>nd</sup> Eng.	105	100	99	87	<b>391</b>
III / 1	OOW Eng.	206	157	157	145	<b>665</b>
	<b>Total</b>	<b>1020</b>	<b>883</b>	<b>932</b>	<b>845</b>	<b>3680</b>

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 SEAs in 2014 included:

- SEAs found to have incorrect signatories and company references;
- SEAs found not signed;
- SEA not provided to seafarer;
- SEA had expired;
- SEA missing MLC required content;
- the collective bargaining agreement associated with the SEA was not on board;
- SEA not in English language;
- crew list found not completed in accordance with Isle of Man requirements;
- no record of sea service provided to the seafarer;
- ship liability for repatriation could not be demonstrated.

#### **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 seafarers' wages in 2014 included:

- failure to pay seafarers for agreed overtime or extended time on board the ship.

#### **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 seafarers' rest in 2014 included:

- breach of minimum rest hours;
- "Schedule of Working Arrangements" not posted;
- incorrect work patterns stated on Schedule of Working Arrangements;
- inadequate recording documents used;
- software for recording hours was found defective;
- inadequate compensatory rest given;
- seafarers not recording their hours of rest.

#### **4.7 Seafarer Complaints**

The following is a summary of seafarer complaints received and investigated by IOMSR in 2014.

Complaints received from seafarers serving on Isle of Man ships – MLC B5.1.5/2(g):

- wage dispute – offshore ship – x1 complaint
- wage dispute – commercial yacht – x3 complaints
- repatriation costs charged to seafarer – commercial yacht – x1 complaint
- hours of rest dispute – offshore vessel – x1 complaint

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

- none.

*Note – Seafarer complaint handling relating to MLC issues for seafarers on foreign flag ships in Isle of Man waters came into effect on 7<sup>th</sup> August 2014 as per SD 234/13 Regulation 3(2).*

## 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	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	Total
<b>Total Ships inspected</b>	-	-	0	0	<b>0</b>
<b>Ships with no MLC deficiencies</b>	-	-	0	0	<b>0</b>
<b>Ships with MLC deficiencies</b>	-	-	0	0	<b>0</b>
<b>MLC detentions</b>	-	-	0	0	<b>0</b>

The above represents Port State Control (PSC) inspections of foreign flagged ships in Isle of Man territory where MLC deficiencies may be raised as part of the inspection.

*Note – Isle of Man MLC inspections on foreign flagged ships in Isle of Man waters came into effect on 7<sup>th</sup> August 2014 as per SD 234/13 Regulation 3(2).*

### 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.

	1 <sup>st</sup> Qtr	2 <sup>nd</sup> Qtr	3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr	Total
<b>Total Ships Inspected</b>	<b>239</b>	<b>206</b>	<b>271</b>	<b>230</b>	<b>946</b>
<b>*Inspections with MLC Detentions</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>*Inspections with MLC Deficiencies</b>	<b>12</b>	<b>15</b>	<b>17</b>	<b>18</b>	<b>62</b>
Paris MOU Region	4	9	9	8	30
Tokyo MOU Region	5		6	6	17
United States Coast Guard	1			1	2
Mediterranean MOU Region	2	3		3	8
Black Sea MOU Region		1	2		3
Latin America MOU Region		2			2

### Inspections Resulting in MLC Deficiencies by Ship Type\*

Ship Type	Q1		Q2		Q3		Q4		Total
	<500GT	>500GT	<500GT	>500GT	<500GT	>500GT	<500GT	>500GT	
Bulk		6		6		7		9	<b>28</b>
Offshore				1		1		2	<b>4</b>
Oil				2		3			<b>5</b>
Gas		1		1		3		4	<b>9</b>
Other Cargo		5		3		2		3	<b>13</b>
Comm. Yacht			1		1				<b>2</b>
Passenger				1					<b>1</b>
<b>Total</b>		<b>12</b>	<b>1</b>	<b>14</b>	<b>1</b>	<b>16</b>		<b>18</b>	<b>62</b>

\*PSC deficiencies include MLC deficiencies and deficiencies relating to ILO (Living and Working Conditions) issued to ships under PSC codes 18000 and 9000 respectively.

NB not all countries have adopted the MLC Convention. Those countries that have not adopted the MLC Convention still use the ILO 9000 PSC deficiency codes.

The table below shows a comparison of 2014's PSC inspections of Isle of Man ships worldwide and deficiencies raised by PSC compared with the previous year.

The items in brackets are typical deficiency items raised during PSC inspections.

<b>Year</b>	<b>2013</b>	<b>2014</b>
<b>Number of Ships Inspected</b>	<b>872</b>	<b>946</b>
<b>Inspections with no MLC Deficiencies*</b>	<b>828</b>	<b>884</b>
<b>Inspections with MLC Detentions *</b>	<b>0</b>	<b>0</b>
<b>Inspections with MLC Deficiencies*</b>	<b>44</b>	<b>62</b>
<b>Deficiencies raised</b>	<b>59</b>	<b>111</b>
1. Minimum Age		
2. Medical Certificates		
3. Qualification of Seafarers (ship's cook certificate)	1	
4. Seafarer Employment Agreements		
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service		
6. Hours of Work and Rest (breach of rest hours, recording of rest hours)		6
7. Manning Levels for the Ship		
8. Accommodation (lighting, electrical devices, cleanliness, sanitary facilities, heating & ventilation)	2	10
9. On Board Recreational Facilities (mess and recreation rooms)		1
10. Food and Catering (galley facilities and cleanliness, food storage, food preparation, food condition, drinking water)	7	8
11. Health and Safety and Accident Prevention (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)	45	78
12. On Board Medical Care (hospital, medical equipment, person in charge of medical care)	4	7
13. On Board Complaint Procedures		
14. Payment of Wages (Method of calculation)		1

\*Ships may have been detained or issued deficiencies relating to non-MLC matters but are not counted for the purposes of this report.

## **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.

For more information please refer to the “2014 Summary Report of Casualties, Accidents and Incidents on Isle of Man Registered Ships” published on the IOMSR website.

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 does not include statistics relating to deaths from natural causes.

### **6.1 Number of Persons Incurring Injury or Death**

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

<b>Rank</b>	<b>Injury Accident</b>	<b>Injury Casualty</b>	<b>Death</b>
Master		1	
Ch. Off	3		
OOW Nav	2	1	
Ch. Engineer		1	
2nd Engineer	4	1	
OOW Engineer		1	1
Electrician			
Deck Rating	4	4	
Engine Rating			
Deck/Eng. Cadet	2		
Cook/Steward	1		
Passenger/Guest*			
Visitor/Contractor*		2	
<b>Total</b>	<b>16</b>	<b>11</b>	<b>1</b>

\*Persons on board may not be an MLC defined “seafarer” but have been included for the purposes of overall statistics.

## 6.2 Injury or Death Cases on Board per Ship Type

Type of Ship	Injury Accident	Injury Casualty	Death
Passenger	1		
Oil Tanker	4	3	
Chemical Tanker			
Gas Carrier			
Bulk Carrier	1	3	1
Offshore/Standby	1	1	
Other Cargo Ship	5	1	
Commercial Yacht	4	2	
<b>Total</b>	<b>16</b>	<b>10</b>	<b>1</b>

## 6.3 Activities Being Conducted Leading to an Injury or Death

	Injury Accident	Injury Casualty	Death
Leisure Activity	1		
Moving About the Ship	5	5	
Mooring or Anchoring	2		
Operating Hatch Covers	1		
Lifting or Carrying by Hand	2	1	
Lifting or Carrying Mechanically		2	
Painting Cleaning or De-rusting	1		
Opening or Closing a Pressurised Vessel	1		
Using Portable Tools	2	1	
Overhauling or Maintaining Rotating Equipment		1	
Using Electrical Equipment			1
Overhauling or Maintaining Rotating Equipment	1		
No Activity Being Carried Out			
<b>Total</b>	<b>16</b>	<b>10</b>	<b>1</b>

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



#### 6.4 Occupational Diseases, Injuries and Deaths Reported

	<b>Injury</b>	<b>Accident</b>	<b>Casualty</b>
	Death		1
	Fracture of Skull, Pelvis, Spine, or a Major Bone in the Arm or Leg	1	7
	Other Fracture	5	1
	Loss of Fingers		1
	Other Eye Injuries	1	
	Burn or Scald	2	
	Other Strains or Hernias	2	
	Crushing Injuries	1	
	Major Bruising	2	
	Puncture wound, Cut or Laceration	2	
	Torn Cartilage / Ligament / Muscle	1	1
	<b>Total</b>	<b>17</b>	<b>11</b>

Please note that more than one injury may have occurred in the same case.

#### 6.5 Occurrence Leading to an Injury or Death

	<b>Injury Accident</b>	<b>Injury Casualty</b>	<b>Death</b>
Sudden Uncontrolled Release of any Substance from a System or Pressure Vessel	2		
Failure of any Lifting Device			
Slips or Falls (same level)	5	2	
Slips or Falls (different levels)	1	4	
Involving Mooring Ropes or Hawses	2	2	
Involving Lifting Equipment	1	1	
Electric Shock			1
Moving about - No Fall, No Handling			
Moving About - Manual Handling			
Involving Rescue Boat/Lifeboat/Liferaft			
Maintenance - Machinery	1		
Maintenance - Other	2	1	
Illness			
Cargo Operations			
Galley Operations	1		
Leisure Activity on Board	1		
<b>Total</b>	<b>16</b>	<b>10</b>	<b>1</b>

In some cases more than one seafarer was injured in the same case.

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

- None.

## **Conclusions**

In reviewing the MLC inspections and accident reports in 2014 a number of factors have emerged.

- Inspections by Isle of Man surveyors increased compared to 2013 due to client demand. Deficiencies relating to Seafarer Employment Agreements, food and catering and health & safety accident prevention remain prevalent.
- Deficiencies relating to various aspects concerning seafarers continue in the same trend as 2013. It was noted that there was a substantial increase in deficiencies related to accommodation and food/catering compared to 2013. This is particularly disappointing as many of these deficiencies should be picked up by ship's staff during the weekly inspections.
- The number of ships inspected by PSC authorities around the world has increased compared to 2013 combined with an increase in the number of MLC related deficiencies raised by PSC. Deficiencies raised by PSC in the Paris MOU region account for almost 50% of all MLC related deficiencies raised on Isle of Man registered ships.
- The number of seafarers injured or fatally injured on Isle of Man ships fell compared to 2013. Injury from moving about the ship was the most common cause of injury in 2014.
- MLC inspections are an important part of the ship's survey regime conducted by Isle of Man Ship Registry. The process of conducting MLC inspections at the same time as other audits and 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](mailto: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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