

# Isle of Man Ship Registry

## Maritime Labour Convention Annual Report

**2017**

**Isle of Man Government  
Department for Enterprise**



**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. Prior to MLC the Isle of Man Ship Registry (IOMSR) conducted Seafarer Living and Working Conditions inspections in accordance with the ILO178 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 IOMSR is responsible for ensuring that MLC inspections are conducted and MLC certification is issued to applicable ships on behalf of IOMSR for Isle of Man registered ships trading commercially worldwide. Under the provisions of MLC 5.1.1/2 (General Principles) the IOMSR 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 2017 to 31<sup>st</sup> December 2017.

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

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

Tel +44 1624 688500

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

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INTERNATIONAL LABOUR CONFERENCE

**MARITIME  
LABOUR CONVENTION, 2006**

Merchant Shipping (Maritime Labour Convention) Regulations  
2013 Regulation 1

Statutory Document No. 0234/2013



*Merchant Shipping Act 1985*

**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 2B of the Merchant Shipping Act 1985.

### 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 (Onshore seafarer complaint handling procedures) apply to a foreign ship calling in the normal course of its business or for operational reasons to 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;

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MARITIME LABOUR NOTICE  
**MLN 001**  
(Rev 9)

### DEPARTMENT OF ECONOMIC DEVELOPMENT INDEX OF MARITIME LABOUR NOTICES

This is an index of current Maritime Labour Notices (MLNs). While this notice will be updated on a regular basis the latest MLNs will be available on our website and this will be the most up to date record.  
Most Regulations and notices are available on the Isle of Man Government website: [www.iomshipregistry.com](http://www.iomshipregistry.com) or by contacting [marine.survey@gov.im](mailto:marine.survey@gov.im)

MLN 001	Index of MLNs	Nov 17	Rev 9
MLN 1.1	<a href="#">Young Persons</a>	Aug 12	Rev 1
MLN 1.2	<a href="#">Medical Certificates</a>	Apr 13	Rev 2
MLN 1.3	<a href="#">Training and Qualifications</a>	Jan 15	Rev 1
MLN 1.4	<a href="#">Recruitment and placement</a>	Aug 12	Rev 0
MLN 1.4.8	<a href="#">Possible problems signing on a non MLC ship</a>	Aug 12	Rev 0
MLN 2.1	<a href="#">Seafarers' Employment Agreements</a>	Apr 13	Rev 5
MLN 2.2	<a href="#">Seafarers' wages</a>	Feb 13	Rev 1
MLN 2.3	<a href="#">Hours of work and hours of rest</a>	Apr 13	Rev 3
MLN 2.4	<a href="#">Entitlement to leave</a>	Feb 13	Rev 2
MLN 2.5	<a href="#">Repatriation</a>	Apr 13	Rev 1
MLN 2.6	<a href="#">Seafarer compensation for the ship's loss or foundering</a>	Oct 12	Rev 3
MLN 3.1	<a href="#">Accommodation &amp; recreational facilities</a>	Apr 13	Rev 2
MLN 3.2	<a href="#">Food and catering</a>	Feb 12	Rev 0
MLN 4.1	<a href="#">Medical care on board ship and ashore</a>	Mar 15	Rev 3
MLN 4.2	<a href="#">Shipowner's liability</a>	Nov 12	Rev 4
MLN 4.3a	<a href="#">Health &amp; safety policies</a>	Aug 12	Rev 0
MLN 4.3b	<a href="#">Health &amp; safety - vibration</a>	Aug 12	Rev 0
MLN 4.3c	<a href="#">Health &amp; safety - noise</a>	Sept 12	Rev 0
MLN 4.3d	<a href="#">Health &amp; safety - chemicals</a>	Sept 12	Rev 0
MLN 4.3e	<a href="#">Reporting accidents, incidents &amp; diseases</a>	Oct 12	Rev 0
MLN 4.4	<a href="#">Access to shore based welfare facilities</a>	Mar 12	Rev 0
MLN 5.1.385.1.4	<a href="#">Certification, inspection and enforcement</a>	Nov 17	Rev 2
MLN 5.1.5	<a href="#">On board complaint procedure</a>	Apr 13	Rev 1
MLN 6.0	<a href="#">Amendments to DMLC Part II and SEA</a>	Jan 14	Rev 0
MLN 7.0	<a href="#">MLC Amendments - Financial Security</a>	Dec 16	Rev 0

## **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. 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);
- Safety Official General Duties and Protective Equipment (SD816/01);
- Manning and STCW (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 and List of Crew (SD2015/0387).

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

- Isle of Man Ship Registry, Department for Enterprise, St George's Court, Upper Church Street, Douglas, Isle of Man, IM1 1EX, British Isles.
- Email - [marine.mlc@gov.im](mailto:marine.mlc@gov.im)
- [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](http://www.ilo.org).

## Amendments to the MLC Regulations which came into effect in 2017

- None

## Amendments to MLNs which came into effect in 2017

- The latest MLNs as of 1<sup>st</sup> January 2018 are listed below:

<b>MLN Number</b>	<b>MLN Title</b>	<b>Date Last Amended</b>	<b>Latest Revision</b>
<b>MLN 001</b>	Index of MLNs	Nov 17	Rev 9
<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	Jan 15	Rev 1
<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 2.2</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	Mar 15	Rev 3
<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 5.1.3 &amp; 5.1.4</b>	<b>Certification, Inspection and Enforcement</b>	<b>Nov 17</b>	<b>Rev 2</b>
<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
<b>MLN 7</b>	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. The IOMSR is a Division of the Isle of Man Government's Department for Enterprise.

The IOMSR issues and approves Declaration of Maritime Labour Compliance Parts 1 and 2 for all types of ships as prescribed by MLC A5.1.3/10. The IOMSR also certifies non-cargo ships to which MLC applies. MLC inspections for all ships are carried out at appropriate intervals not exceeding 3 years in compliance with MLC A5.1.4/4.

The IOMSR has also delegated specified Classification Societies to conduct MLC inspections and issue MLC Certification on behalf of IOMSR to cargo ships only. The delegated Classification Societies are stated in Manx Shipping Notice 020. Classification Societies may only issue MLC certificates and not Declaration of Maritime Labour Compliance Parts 1 and 2.

MLC inspections are conducted by trained IOMSR Surveyors or Classification Society MLC Inspectors who fulfil the requirement of "inspector" prescribed by MLC A5.1.4/7.

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

- Inspections in order to certificate Isle of Man registered ships of 500GT or over operating commercially engaged in international voyages pursuant to the requirement of MLC A5.1.3/6 and MLC A5.1.3/8.
- Inspections of ships less than 500GT operating commercially.
- Inspections in order to certificate recruitment and placement services based in the Isle of Man pursuant to the requirement of MLC 1.4/2.
- Inspections, by IOMSR surveyors only, may also be carried out at any time under the following circumstances:-
  - Isle of Man registered ships worldwide to which the MLC applies where a complaint has been made.
  - 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).
  - Foreign flag ships to which the MLC applies in Isle of Man waters where a complaint has been made (MLC 5.2.2).

In addition to MLC Inspections, Isle of Man surveyors also attend cargo ships at intervals not exceeding 3 years for a 'Flag State General Inspection'. Flag State General Inspections include MLC related items as part of the inspection.

The IOMSR and Classification Societies utilise computerised reporting and filing systems covering a range of ship certification and inspections which includes MLC inspections. All MLC inspection reports issued by a Classification Society are sent to IOMSR and reviewed. This enhances the ability to plan forthcoming inspections and monitor any MLC 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 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 and Classification Society Inspectors in 2017.

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 - MLC Inspections (by IOMSR or a Classification Society)**

A record of inspections for commercial ships less than and greater than 500GT is as follows;

**Less than 500 GT Ships** (issued with a DMLC 1 and DMLC 2 only)

**Greater than 500 GT Ships** (issued with an MLC certificate, DMLC 1 and DMLC 2)

<b>MLC Inspections</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>
Inspections <b>with</b> MLC deficiencies	16	47	35	27	<b>125</b>
Inspections <b>without</b> MLC deficiencies	62	41	25	24	<b>152</b>
<b>Total MLC Inspections:</b>	<b>78</b>	<b>88</b>	<b>60</b>	<b>51</b>	<b>277</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>
0. MLC certification and documentation	1		4	2	<b>7</b>
1. Minimum Age					
2. Medical Certificates	1	3	3		<b>7</b>
3. Qualification of Seafarers		10	4	4	<b>18</b>
4. Seafarer Employment Agreements	1	11	7	5	<b>24</b>
5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service					
6. Hours of Work and Rest		5	2		<b>7</b>
7. Manning Levels for the Ship		1			<b>1</b>
8. Accommodation	3	6	5	2	<b>16</b>
9. On Board Recreational Facilities				1	<b>1</b>
10. Food and Catering	4	10	2	8	<b>24</b>
11. Health and Safety and Accident Prevention	4	20	7	15	<b>46</b>
12. On Board Medical Care	3	5	4	4	<b>16</b>
13. On Board Complaint Procedures	1	1			<b>2</b>
14. Payment of Wages			2		<b>2</b>
15. Financial Security for Repatriation		1	1	1	<b>3</b>
16. Financial Security for Shipowners Liability		1	1		<b>2</b>
<b>Total</b>	<b>18</b>	<b>74</b>	<b>42</b>	<b>42</b>	<b>176</b>

Please note that on some ships more than one deficiency may have been issued to the same ship. All deficiencies are to be rectified to the satisfaction of attending inspector.

The table below shows a comparison of 2017's inspections and deficiencies compared with the previous years.

<b>Year</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>Number of Inspections</b>	<b>258</b>	<b>160</b>	<b>138</b>	<b>277</b>
<b>Ships with no MLC Deficiencies</b>	<b>110</b>	<b>89</b>	<b>75</b>	<b>152</b>
<b>Ships with MLC Deficiencies</b>	<b>148</b>	<b>71</b>	<b>63</b>	<b>125</b>
<b>Deficiencies raised:</b>	<b>429</b>	<b>134</b>	<b>134</b>	<b>176</b>
0. MLC certification and documentation	-	-	-	7
1. Minimum Age	1	-	-	
2. Medical Certificates	16	3	7	7
3. Qualification of Seafarers	35	11	12	18
4. Seafarer Employment Agreements	102	41	33	24
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
7. Manning Levels for the Ship	1	-	-	1
8. Accommodation	25	12	10	16
9. On Board Recreational Facilities	3	-	4	1
10. Food and Catering	64	21	12	24
11. Health and Safety and Accident Prevention	79	16	22	46
12. On Board Medical Care	18	4	9	16
13. On Board Complaint Procedures	18	5	5	2
14. Payment of Wages	11	3	2	2
15. Financial Security for Repatriation	-	-	-	3
16. Financial Security for Shipowners Liability	-	-	-	2

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

<b>Isle of Man Companies</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 companies inspected</b>	2	6	1	1	<b>10</b>
<b>Companies with no deficiencies</b>	2	6	1	1	<b>10</b>
<b>Companies with deficiencies</b>	-	-	-	-	<b>-</b>

As per MLN1.4 companies carrying out recruitment and placement services that are based on the Isle of Man are inspected annually for compliance in accordance with the IOMSR requirements. Upon successful completion of the inspection such companies are issued with a Certificate of Compliance.

## **4. Seafarers subject to Isle of Man Legislation**

All "seafarers", as defined under 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 2017 included:

- none

### **4.2 Seafarer Medical Certificates**

All seafarers are required to hold a valid medical certificate as per the requirements of Isle of Man Merchant Shipping (Maritime Labour Convention) Regulations (SD 0234/2013) Regulation 8 and MLN1.2.

Deficiencies concerning seafarer medical certificates in 2017 included:

- photocopies of certificates only;
- seafarers found not in possession of a valid medical certificate;
- seafarer found performing duties not within the limitations stated on the 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.

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 2017 included:

- seafarers had no Isle of Man STCW endorsement for the type of ship;
- seafarer only in possession of copies of STCW certification;
- seafarers not in possession of STCW basic safety training course certification.

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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).

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 2017.

<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	228	185	145	158	<b>716</b>
II / 2	Ch. Officer	144	97	105	83	<b>429</b>
II / 1	OOW Nav.	222	198	147	151	<b>718</b>
III / 2	Ch. Eng.	196	180	126	139	<b>641</b>
III / 2	2 <sup>nd</sup> Eng.	131	104	83	82	<b>400</b>
III / 1	OOW Eng.	202	171	142	154	<b>669</b>
III / 6	ETO	131	91	65	61	<b>348</b>
	<b>Total</b>	<b>1254</b>	<b>1026</b>	<b>813</b>	<b>828</b>	<b>3921</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 MLC 2.1 and MLN 2.1.

Deficiencies concerning seafarer SEAs in 2017 included:

- SEAs found to have incorrect signatories and company references;
- SEA found to contain terms and conditions not in compliance with MLC;
- 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;
- 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 MLC 2.2 and MLN 2.2.

Deficiencies concerning seafarer wages in 2017 included:

- no wage slips provided to seafarers.

#### **4.6 Seafarer Hours of Work and Rest**

All seafarers must comply with the minimum rest requirements as per the requirements of MLC 2.3 and MLN 2.3.

Deficiencies concerning seafarer rest in 2017 included:

- breach of minimum rest hours;
- Schedule of Working arrangements not posted;
- seafarers not recording their hours of rest;
- incorrect entries recorded that do not correspond to the hours worked.

#### **4.7 Seafarer Complaints**

All seafarers must be provided with a copy of the ship's on-board complaints procedure as prescribed by MLC A5.1.5/4.

Deficiencies concerning the on-board complaints procedure in 2017 included:

- Placard required to be displayed to seafarers by company procedures was found missing;
- Complaint procedure unknown to the ship's crew.

A seafarer has the right to bring their complaint directly to IOMSR. All complaints received by IOMSR are treated in confidence.

In 2017 the following individual complaints were received from seafarers serving on Isle of Man ships and investigated by IOMSR as follows – MLC A5.1.5/2:

<b>Type of ship</b>	<b>No. of ships received from</b>	<b>DMLC Section</b>						<b>Other</b>	<b>Total</b>
		<b>4</b>	<b>6</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>14</b>		
Comm Yacht	6	4		1			3	4	<b>12</b>
Oil Tanker*	1	1	1		2	1			<b>5</b>
<b>Total</b>	<b>7</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>17</b>

*\*(an investigation found the complaints to be vexatious by a seafarer and not substantiated)*

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**

<b>Foreign Flag Ships Inspected in Isle of Man</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 Ships inspected</b>		1	2	2	<b>5</b>
<b>Ships with no MLC deficiencies</b>			2	2	<b>4</b>
<b>Ships with MLC deficiencies</b>		1			<b>1</b>
<b>MLC detentions</b>					<b>0</b>

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 that resulted in MLC detentions or deficiencies raised on Isle of Man ships by PSC Authorities worldwide are as follows.

	<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 Ships Inspected:</b>	<b>206</b>	<b>232</b>	<b>243</b>	<b>210</b>	<b>891</b>
<b>Inspections with MLC Detentions:</b>		<b>2</b>		<b>1</b>	<b>3</b>
Tokyo MOU Region		1			1
Black Sea MOU Region		1			1
Paris MOU Region				1	1
<b>Inspections with MLC Deficiencies:</b>	<b>17</b>	<b>15</b>	<b>25</b>	<b>14</b>	<b>71</b>
Paris MOU Region	7	6	9	4	26
Tokyo MOU Region	7	5	12	8	32
United States Coast Guard		1	2		3
Indian MOU Region					
Abuja MOU Region					
Caribbean MOU Region					
Latin America MOU Region		1	1	2	4
Black Sea MOU Region	3	2	1		6
Mediterranean MOU Region					
Riyadh MOU Region					
Other					

More than one MLC deficiency may have been issued during an inspection.

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

The table below shows 2017'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	2017
<b>Number of Ships Inspected:</b>	<b>946</b>	<b>923</b>	<b>844</b>	<b>891</b>
<b>Inspections with no MLC Deficiencies or Detentions:</b>	<b>884</b>	<b>847</b>	<b>779</b>	<b>817</b>
<b>Inspections with MLC Detentions:</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>3</b>
<b>MLC Certification</b> (MLC certificate missing on board, MLC documents not posted)			1	
<b>3. Qualification of Seafarers</b> (A master's qualifications were found unsuitable for the ship size and trading area)		1		
<b>8. Accommodation</b> (Stairway width, accommodation soil pipes leaking, external doors not closing properly)				3
<b>11. Health and Safety and Accident Prevention</b> (safety railing defective in vicinity of rescue boat)			1	
<b>14. Payment of Wages</b> (Found repeated cases of non-payment of wages)		1		
<b>Inspections with MLC Deficiencies:</b>	<b>62</b>	<b>75</b>	<b>63</b>	<b>71</b>
<b>Deficiencies raised:</b>	<b>111</b>	<b>120</b>	<b>80</b>	<b>85</b>
<b>MLC Certification</b> (MLC documents not posted)				5
<b>1. Minimum Age</b>				
<b>2. Medical Certificates</b> (expired)		2		
<b>3. Qualification of Seafarers</b> (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	6
<b>4. Seafarer Employment Agreements</b> (incorrect ship-owner stated on SEA, expired SEAs)		8	10	3
<b>5. Use of any Licensed, Certified or Regulated Private Recruitment and Placement Service</b>				
<b>6. Hours of Work and Rest</b> (schedule of working arrangements not posted or incorrect, breach of rest hours, Master and crew not recording rest hours)	6	13	13	10
<b>7. Manning Levels for the Ship</b> (Master intoxicated prior to departure, not sufficient crew on board as per manning document).		3		
<b>8. Accommodation</b> (lighting, electrical devices, cleanliness, sanitary facilities, heating & ventilation)	10	13	4	10
<b>9. On Board Recreational Facilities</b> (prescribed mess and recreation rooms facilities missing)	1			1
<b>10. Food and Catering</b> (galley facilities and cleanliness, food storage, food preparation, storage temperature, food condition, drinking water)	8	6	4	
<b>11. Health and Safety and Accident Prevention</b> (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	45
<b>12. On Board Medical Care</b> (hospital, medical equipment, person in charge of medical care)	7	1		3
<b>13. On Board Complaint Procedures</b> (not located on board)		2	4	2
<b>14. Payment of Wages</b> (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 accident 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.

	<b>MLC Ships</b>	
	<b>No. of Seafarers</b>	<b>Rate per 100,000</b>
MLC Fleet estimate*	11573	-
Deaths	0	0
Serious injuries	14	121
Minor injuries	16	138

\* The MLC fleet estimate 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.

In fulfilling the Isle of Man Ship Registry’s obligation under MLC standard A4.3.5(b) an Annual Summary Report of Casualties, Accidents and Incidents on Isle of Man Registered Ships is published on the IOMSR website.

For more information please refer to the **“2017 Summary Report of Casualties, Accidents and Incidents on Isle of Man Registered Ships”** published on the IOMSR website.

<https://www.iomshipregistry.com/forms-reports/casualty-reports/>

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

Rank	Total	Minor Injury	Serious Injury	Death
Master	1	0	1	0
Ch. Officer	0	0	0	0
OOW Nav.	2	1	1	0
Ch. Engineer	1	0	1	0
2nd Engineer	1	0	1	0
OOW Engineer	5	4	1	0
ETO / Electrician	2	1	1	0
Deck Rating	15	9	6	0
Engine Rating	2	1	1	0
Deck/Eng. Cadet	0	0	0	0
Cook/Steward	1	0	1	0
Others	0	0	0	0
<b>Total</b>	<b>30</b>	<b>16</b>	<b>14</b>	<b>0</b>

Age Range	Total	Minor Injury	Serious Injury	Death
16-19	0	0	0	0
20-29	14	8	6	0
30-39	4	3	1	0
40-49	6	2	4	0
50-59	5	2	3	0
60+	1	1	0	0
<b>Total</b>	<b>30</b>	<b>16</b>	<b>14</b>	<b>0</b>

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

Type of Ship	Minor Injury	Serious Injury	Death
Passenger Ship	1	2	0
Oil Tanker	1	5	0
Chemical Tanker	0	0	0
Gas Carrier	1	1	0
Bulk Carrier	1	0	0
Offshore/Standby Vessel	4	0	0
Other Cargo Ship	1	3	0
Commercial Yacht	3	3	0
<b>Total Cases</b>	<b>12</b>	<b>14</b>	<b>0</b>

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

	<b>Minor Injury</b>	<b>Serious Injury</b>	<b>Death</b>
Access to the ship	0	3	0
Leisure activity	1	0	0
Moving about the ship	3	3	0
Mooring and anchoring	0	2	0
Lifting or carrying by hand	2	0	0
Lifting or carrying mechanically	0	2	0
Painting, cleaning or de-rusting	1	1	0
Opening or closing a pressurised vessel	1	1	0
Overhauling or maintaining rotating equipment	0	1	0
Watch keeping duties – Navigation	1	0	0
Watch keeping duties – Deck/Cargo	1	0	0
Cargo operations	1	0	0
No activity being carried out	1	1	0
<b>Total Cases</b>	<b>12</b>	<b>14</b>	<b>0</b>

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	Minor Injury	Serious Injury	Death
Death	<b>0</b>	-	-	0
Fracture of skull, pelvis, spine, or a major bone in the arm or leg	<b>2</b>	-	2	0
Other fracture	<b>5</b>	1	4	0
Loss of fingers	<b>2</b>	0	2	0
Other eye injury	<b>1</b>	1	0	0
Burn or scald	<b>2</b>	2	0	0
Electrical burns	<b>1</b>	1	0	0
Other strains or hernias	<b>2</b>	2	0	0
Dislocations	<b>1</b>	1	0	0
Crushing injuries	<b>1</b>	0	1	0
Major bruising	<b>3</b>	2	1	0
Puncture wound, cut or laceration	<b>2</b>	1	1	0
Torn cartilage/ligament/muscle	<b>1</b>	0	1	0
Back injury	<b>2</b>	1	1	0
Smoke inhalation	<b>4</b>	4	0	0
other	<b>1</b>	0	1	0
<b>Total Cases</b>	<b>30</b>	<b>16</b>	<b>14</b>	<b>0</b>

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

#### 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 2017 a number of factors have emerged.

- No changes to MLC regulations were made in 2017. Changes to an MLN was made and promulgated to the shipping industry. This primarily concerned certification, inspection and enforcement. (Section 1)
- The Isle of Man system of inspection concerning MLC inspection has changed to Classification Societies conducting MLC inspections on cargo ships on behalf of IOMSR and IOMSR conducting MLC inspections on non-cargo ships. (Section 2)
- 277 Isle of Man registered ships were inspected worldwide by IOMSR or Classification society inspectors. 10 recruitment and placement companies were audited on the Isle of Man by Isle of Man surveyors in 2017. (Section 3.1 and 3.2)  
  
Of the deficiencies issued to ships the biggest source of deficiencies relates to health safety and accident prevention accounting for 26% of all deficiencies issued in 2017. (Section 3.1)  
  
Inspections of Isle of Man licensed companies yielded good results with no deficiencies.
- The major cause of complaints by seafarer referred to the Isle of Man Ship Registry relate SEA terms and condition and payment of wages. (Section 4.7)
- Seafarer documentation (ie qualifications, medical certificates and seafarer employment agreements) remains a continuous source of deficiencies relating to seafarers, ie 28% of Isle of Man MLC deficiencies and 12% of PSC MLC deficiencies issued to Isle of Man ships. (Section 3.1 and 5.2)
- Of the inspections conducted by PSC 92% resulted in no MLC deficiencies or detentions. Of the remaining inspections 2 ships were detained over poor accommodation standards. Of the ships issued with deficiencies 56% related to issues concerning health & safety and accident prevention. (Section 5.2)
- In 2017 there were 16 minor injuries and 14 serious injuries reported to IOMSR. The most common injuries sustained were other fractures. Moving about the ship lead to 20% of seafarer injuries in 2017. (Section 6)
- No accidents were reported and no complaints were received from foreign flagged ships in Isle of Man territorial waters in 2017. (Section 4.7 and 6.5)

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.mlc@gov.im](mailto:marine.mlc@gov.im)*

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