



Maritime Labour Convention (MLC)

IMR experience with implementing MLC



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Maritime Labour Convention

- The **Maritime Labour Convention (MLC)** is an International Labour Organization (ILO) convention established in 2006 as the *Fourth pillar* of international maritime law and embodies “all up-to-date standards of existing international maritime labour conventions and recommendations, as well as the fundamental principles to be found in other international labour conventions“.
- The other "pillars are the SOLAS, STCW and MARPOL conventions.
- As of May 2013, the MLC convention is ratified by 35 states, representing 68,8% of global shipping.
- Entry into force required 30 ratifications of countries representing over 33% of the world gross tonnage of ships and will take effect on 20 August 2013, one year after the thirtieth ratification.
- Already after five ratifications the ratifying countries (Bahamas, Norway, Liberia, Marshall Islands and Panama) represented over 43% of the gross world tonnage (which is over 33%; the second requirement for entry into force).



MLC area of application

- Those that own or operate ships of 500 GT and above, engaged in international voyages or voyages between foreign ports, are required to develop and carry out plans for ensuring that the applicable national laws, regulations or other measures to implement the MLC, 2006 are actually being complied with.
- The masters of these ships are then responsible for carrying out the shipowners' stated plans, and for keeping proper records to evidence implementation of the requirements of the Convention.
- As part of its updated responsibilities for the labour inspections for ships of 500 GT or above that are engaged in international voyages or voyages between foreign ports, the flag State (or a recognized organization on its behalf) will review the shipowners' plans and verify and certify that they are actually in place and being implemented.
- Ships will then be required to carry a maritime labour certificate and a declaration of maritime labour compliance on board.
- Flag States will also be expected to ensure that national laws and regulations implementing the Convention's standards are respected on smaller ships that are not covered by the certification system.



MLC contents

- **Part 1 - Minimum requirements for seafarers to work on a ship**
- **Part 2 - Employment conditions**
- **Part 3 - Accommodation, Recreational Facilities, Food and Catering**
- **Part 4 - Health Protection, Medical Care, Welfare and Social Security Protection**
- **Part 5 - Compliance and Enforcement**



IMR Starting point

- IMR starting point was our DNV certified International Safety Management (ISM) system.
- The ISM system included most of the procedures required by the MLC code.
- IMR has been ISM certified for more than 10 years, and our road to ISM certification started at the second ERVO meeting in Galway in 2000 thanks to an introduction to ISM by Lloyds!



MLC Certification process (1)

1. The ship owner (operator) issues an application for Declaration of Maritime Labour Convention Part 1, (DMLC – Part 1).
2. The Flag state issues DMLC – Part 1.
DMLC - Part 1 states the national requirements to meet the MLC.
One of the key points is if cruise personnel is defined as “seafarers” or not!



MLC Certification process (2)

- The ship owner (operator) clarifies which procedure(s) that applies to each MLC requirement.
- The ship owner (operator) presents it proposed set of procedures and documents to the certifying agency, often a classification society, and a draft DMLC – Part 2 for verification by the certifying agency.



MLC Certification process (3)

- The certifying agency controls that the routines onboard vessel are “on going and compliant” and as described in the DMLC – Part 2.
- The certifying agency signs and stamps the DMLC – Part 2.
- The Classification society controls compliance with MLC and ISM code as part of the semi-annual vessel audits.



Existing ISM code documents that complied with the MLC

- Procedure for work and rest periods
- Procedure for familiarization on board for crew members
- Procedure for control of drinking water
- Job descriptions Steward
- Job descriptions Captain
- Health & Safety representatives
- Health, Safety and Environment Committee
- Procedure for risk assessment
- Safety, Quality and Environmental Policy



Existing ISM code documents which required minor changes

- Employee agreement /contract
- Procedure for medicines and medical treatment
- Procedure for appointment, and on/off-signing of crew
- Control of crew qualifications
- Weekly inspection of superstructure



New documents (1)

- Employees under 18 years of age.
- Instructions for transport, storage and use of chemicals.
- Procedure for dealing with biological materials.
- Procedure for handling unexpected high exposure to chemicals.
- Procedures regarding complaints related to working and/or living conditions
- "Standard Medical Form"



New documents (2)

- Company's nutrition, fitness and well-being profile.
- Procedure for food handling, storage and preparation.
- Procedure for procurement, storage and preparation of food requiring special treatment.
- Procedure for cleaning galley, pantry, booth supplies, large reserves and laundry.
- Procedure for cleaning staterooms and public areas.



DMLC status for IMR

- The IMR vessels have received their MLC compliance certificates (DMLC – Part 2).
- The IMR MLC system consist of 47 procedures and DnV will audit compliance with these procedures every other year together with the ISM and ISPS code procedures in force in the IMR fleet.



MLC and new vessels

- With the entry into force of the MLC all new ships (that is ships that have the keel laid after entry into force) and flagged to a ratifying state must be built iaw the requirements in MLC.

It is the laying of the keel, and not the date of the contract, that will determine which requirements that have to be complied with.

- Regulation 3.1 in MLC 2006 has to be approved during newbuilding phase or if the ship is substantially altered.
- Requirements related to accommodation :
 - Size of rooms and other accommodation
 - Heating and ventilation
 - Noise and vibration and other ambient factors
 - Sanitary facilities
 - Lighting
 - Hospital accommodation



Thank you for your attention!

