

Self Assessment Tool for The Maritime Labour Convention 2006

BACKGROUND: The ILO's Maritime Labour Convention, 2006 (hereafter called MLC 2006) provides comprehensive rights and protection at work for the world's more than 1.2 million seafarers. The MLC 2006 consolidates and updates more than 65 ILO Conventions related to seafarers adopted over the last 80 years.

The MLC 2006n sets out seafarers' rights to decent conditions of work on a wide range of subjects, and aims to be globally applicable, easily understandable, readily updatable and uniformly enforced. It has been designed to become a global instrument known as the "fourth pillar" of the international regulatory regime for quality shipping, complementing the key Conventions of the International Maritime Organization (IMO).

SCOPE OF WORK

The goal of this document is to facilitate the self assessment and the self assessment has a goal of facilitating shipowners in getting an overview of conventions requirements and their obligation to have procedures for ongoing compliance and continuous improvement.

The self assessment must not be seen as giving a complete view of all the MLC 2006 requirements and it is important to understand that it is not possible to provide all the details of requirements or the intentions behind them in such a tool. It is also important that the users understand that requirements within the MLC 2006 are very detailed.

The self assessment can assist the shipowner in identifying areas where they need to have measures for ongoing compliance and continuous improvement and a such it may be used as a starting point for identifying

gaps in their management system, but it can in no way replace the need for a more in depth understanding and handling of requirements and solutions. And we recommend that additional services such as DNV's training courses and gap analysis be used to ensure that understanding and facilitate the development and implementation of measures to ensure ongoing compliance and continuous improvement.

The self assessment only contains MLC 2006 areas where which will have to be inspected before ships can be certified. There will be additional requirements for inspection only, and for those we refer to DNV's gap analysis service.

HOW TO USE THE GUIDELINE

It is also important to note that the MLC 2006 requires Flag States to implement the requirements in the Convention through laws, regulations or other means and that it opens up for some degree of flexibility in the implementation such as the use of substantial equivalence.

The enforcement of the MLC 2006 requirements will be a verification of the Flag State laws and regulations and they may to some degree vary from the MLC 2006 requirements, though they must cover the intent. The shipowner must accordingly make sure to comply with the Flag State requirements.

It is important to note that the Shipowner must find solutions which are appropriate for their company, their ships and their seafarers and comply with the requirements of the Flag State or Flag States where their ships are registered.

Requirement – MLC 2006	MLC 2006 reference	Yes/No
<p>It is important to note that the Convention (and accordingly the measures to ensure ongoing compliance and continuous improvement) must be related to the definition that “all who are hired to or works on board ship” are seafarers.</p> <p>If there are doubts who is to be a seafarer the decision shall be taken by the Competent Authority in the Flag State after consultation with seafarers and shipowners organizations.</p> <p>Any such decision should be sought by the shipowner (as defined in the Convention, and documented by the shipowner and be available on board.</p>	Article II	
<p>1. Minimum age Purpose: To ensure that no under-age persons work on a ship</p>	Regulation 1.1	
1. No person under the age of 16 shall be employed or engaged or work on a ship.	Standard A1.1 Para 1	
<p>2. Night work of seafarers under the age of 18 shall be prohibited.</p> <p>Night work covers a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m.</p> <p>Comment: A1.1 para 3. the Competent Authority in the Flag State may give exemption, but any such exemptions should be documented on board.</p>	Standard A1.1 Para 2 and 3	
3. The employment, engagement or work of seafarers under the age of 18 shall be prohibited where the work is likely to jeopardize their health or safety.	Standard A1.1 Para 4	
<p>2. Medical Certificate Purpose: To ensure that all seafarers are medically fit to perform their duties at sea</p>	Regulation 1.2	
<p>4. Prior to beginning work on a ship, seafarers shall hold a valid medical certificate attesting that they are medically fit to perform the duties they are to carry out at sea.</p> <p>Comment: Special requirements and conditions apply according to Standard A1.2 para 3, 8 and 9</p>	Standard A1.2 Para 1 Standard A1.2 Para 3, 8 and 9	
5. The medical certificate shall be issued by a duly qualified medical practitioner or, in the case of a certificate solely concerning eyesight, by a person recognized by the competent authority as qualified to issue such a certificate.	Standard A1.2 Para 4	
6. A medical certificate shall be valid for a maximum period of two years, unless the seafarer is under the age of 18, in which case the maximum period of validity shall be one year.	Standard A1.2 Para 7	