



MLC 2006

Titles 3, 4 and the first amendments





Title 3

- Accommodation, recreational facilities, food and catering.
 - Accommodation and recreational facilities,
 - Food and catering





Accommodation and recreational facilities

- Applies to ships built after the entry into force for a country
- Existing ships – to comply with ILO 92/133 to the extent they were applicable under national laws,
- If ILO 92/133 not applicable, may apply through 147
- If 147 not applicable, then existing ships to have decent standards, and the international norms are the standards in 92/133





Accommodation and recreational facilities

- Accommodation to be inspected to ensure initial and continuing compliance.
- Inspections to take place when a ship is registered or re-registered or the accommodation is substantially altered.
- CA to take account of 4.3 health and safety protection **after consultation**, when implementing the accommodation provisions and give consideration to Part B.





Accommodation and recreational facilities

- CA is to take particular account of
 - Room sizes,
 - Heating and ventilation
 - Noise and vibration
 - Sanitary facilities
 - Lighting
 - Hospital accommodation.



Accommodation and recreational facilities

- CA is to ensure;
 - Adequate headroom ≥ 203 cm
 - Adequately insulated
 - Sleeping rooms in cargo ships above loadline and not forward of collision bulkhead
 - No direct openings from cargo/machinery/galleys/stores etc to sleeping rooms.
 - Separating bulkheads to be gastight and watertight.
 - Proper lighting and sufficient drainage.
 - Accommodation meets health and safety requirements in terms of exposure to hazardous levels of noise, vibration and other factors.





Accommodation and recreational facilities

- To be adequately ventilated,
- Fitted with air conditioning (except in trades where it is not required)
- Fitted with adequate heating
- Lit by natural light and fitted with artificial light.



Accommodation and recreational facilities

➤ Sleeping rooms

- Single cabins for all seafarers except;
 - Passenger ships can have 4 berth cabins
 - SPS can have more than 4 berths / cabin
 - Ships < 3000 GT may have two berth cabins as exemption **after consultation**.



Accommodation and recreational facilities

- Laundry facilities to be provided.
- Ships with 15 or more seafarers and on voyages of more than 3 days to have a dedicated hospital
- Appropriate recreational facilities to be provided.



Accommodation and recreational facilities

➤ Exemptions,

- Ships less than 200 GT may be exempted **after consultation** from air conditioning, washbasins in cabins, laundry facilities, and some floor area requirements.
- Exemptions only where expressly allowed in the MLC and only on strong grounds and fully justified.



Food and Catering

- CA to ensure that all its ships serve food and drinking water of appropriate quality, nutritional value and quantity.
- Food and water to be free of charge,
- Should allow for varying cultural and religious requirements
- Laws (or other measures) to provide for minimum standards of quality and quantity.
- CA shall undertake educational activities to promote awareness and implementation of the requirements.





Food and Catering

- All catering staff to be trained or instructed.
- Shipowners to ensure cooks are trained, qualified and found competent as per national laws.
- Cooks training to include training at a course approved by or recognised by the CA.
- Cook must be 18 or over.





Food and Catering

- May sail without a cook where the prescribed manning is less than 10 any seafarer preparing food must be trained or instructed in food hygiene, personal hygiene, and storage and handling of food.
- CA may issue a dispensation for a non qualified cook to sail for up to one month in cases of urgency provided the person is instructed or trained in food and personal hygiene, food handling and food storage





Food and Catering

- Inspections to be carried out on board;
 - Frequently.
 - Documented,
 - Under Master's authority,
 - Covering food and drinking water, spaces used for storage and handling, galleys and equipment used for food preparation.





Title 4

- Health protection, medical care, welfare, and social security protection
 - Medical care on board,
 - Shipowner's liability (amended)
 - Health and safety protection and accident prevention
 - Access to shore based welfare facilities
 - Social security





Medical care on board

➤ Measures for providing health protection and medical care including essential dental care to be adopted that:

- Ensure application to seafarers of any general provisions on occupational health etc.
- Ensure seafarers get health protection and medical care as comparable as possible to that available to workers ashore,
- Ensure seafarers have access to doctors or dentists without delay in ports of call, (where practical)
- Are free of charge to seafarers
- Not limited to treatment but also preventative.





Medical care on board

- CA to adopt a standard medical report form
- Laws to specify hospital accommodation on board
- Laws to provide for medicine chest, medical equipment, medical guide and regular inspections of them by the CA
- Ships with 100 or more persons and on voyages more than 3 days to have a doctor.
- Other ships to have a seafarer qualified for medical care on board (STCW)





Shipowner's liability

- Laws have to ensure the shipowner is liable to bear the cost of sickness and injury to seafarers
- Shipowners to provide financial security for compensation in the event of death or long-term disability due to occupational injury, illness or hazard





Shipowner's Liability

➤ 2014 amendments

- Financial security to be paid in full and without delay
- No pressure to reduce amounts
- Allowance for interim payments
- Direct access
- Seafarers to get notification if cover is to be cancelled or ceases
- Flag state to be notified if cover is to be cancelled
- Ships to have documentary evidence of financial security.





Shipowner's Liability

- Shipowners to cover the costs of medical care and accommodation away from home until a seafarer is recovered or the illness / injury is declared permanent. But liability can be limited to 16 weeks.
- Where a seafarer is incapacitated the shipowner is liable for wages until the seafarer is repatriated.





Shipowner's Liability

- Liability for wages for an incapacitated seafarer runs from repatriation to recovery or until the seafarer receives state benefits but can be limited to 16 weeks.
- Liability does not arise if the injury / illness is other than in the service of the ship, due to willful misconduct, concealed on engagement.





Health and safety protection and accident prevention

- Member states to adopt laws and set standards for occupational safety and health protection and accident prevention – to include:
 - Occupational health policies
 - Precautions to prevent occupational injuries and accidents.
 - On-board programmes for prevention of accidents and continuous improvement
 - Inspecting, reporting and correcting unsafe conditions
 - Investigating and reporting occupational accidents.





Health and safety protection and accident prevention

- Adopted laws must:
 - Take account of international instruments
 - Specify the obligations of all parties to comply with standards
 - Specify the duty of the Master to take responsibility for the programme
 - Specify the duties of the safety representatives
 - Establish a safety committee when there are 5 or more seafarers
 - Ensure occupational accidents are reported.





Health and safety protection and accident prevention

➤ CA must:

- Ensure occupational accidents are reported.
- Investigate occupational accidents
- Keep comprehensive statistics,
- Analyse the results,
- Follow up with research into trends where appropriate
- Publish its findings.





Access to shore based welfare facilities

- Member states shall require that welfare facilities in their territories are available to seafarers without discrimination.
- Member states to promote welfare facilities.





Social security

- Member states to take steps according to national circumstances to achieve progressively comprehensive social security protection for seafarers.
- Seafarers to be covered to the same extent as shore workers.





Social security

- Branches to be considered:
 - Medical care
 - Sickness benefit
 - Unemployment benefit
 - Old-age benefit
 - Employment injury benefit
 - Family benefit
 - Maternity benefit
 - Invalidity benefit
 - Survivor's benefit
- To complement the protections included in the MLC.





Social security

- Member states to nominate three branches that are covered at the time of ratification.
- Application is to seafarers “normally resident in the member state’s territory.”
- Members to notify the ILO when additional branches are extended to seafarers.
- Article 22 reports specifically to state the progress towards full provision.