



Intermaritime Certification Services (ICS Class)

Certificating Vessels Around the World

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INTRODUCTION
&
FAMILIRIZATION

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MARITIME LABOUR INSPECTOR



ILO MLC 2006

Objectives

- **Introduction & Familiarization on the application of the ILO Maritime Labour Convention, 2006 (MLC, 2006).**
- **Provide an updated information in relation with ILO Maritime Labour Convention (MLC, 2006);**

ILO MLC 2006

Preamble

- The Maritime Labour Convention (MLC, 2006) was adopted by the International Labour Organization (ILO) at Geneva by the Governing Body of the International Labour Office on 23-February-2006
- An estimated 90% of world trade makes use of maritime transport, depending on more than 1.2 million seafarers to operate ships



ILO MLC 2006

Preamble

- The Convention sets minimum requirements for seafarers to work on a ship and contains provisions on conditions of employment, hours of work and rest, accommodation, recreational facilities, food and catering, health protection, medical care, welfare and social security protection.



ILO MLC 2006

Preamble

- Desiring to create a single, coherent instrument including all up-to-date standards of existing international maritime labour conventions and recommendations, in particular:
- Forced Labour Convention, 1930 (No. 29); Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87); Right to Organize and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Abolition of Forced Labour Convention, 1957 (No. 105); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182); and others (www.ilo.org)

ILO MLC 2006

Structure of the Convention



ILO MLC 2006

Structure of the Convention



MLC 2006 as the 4th pillar in the international maritime regulation

ILO MLC 2006

Structure of the Convention

Vertical Structure

- ARTICLES: General Obligations, Definitions & Scope of application , Fundamental Rights & Principles, Seafarers Employment and Social Rights and other legal provisions
- REGULATIONS: Rights, principles and basic obligations
- The CODE: Parts A & B
- PART A: Standards (Mandatory) i.e: Standard A1.1
- PART B: Guidelines (Not mandatory) i.e: Guidelines B1.1

ILO MLC 2006



Regulations & Parts A and B of The Code organized under 5 Titles:

Title 1. Minimum requirements for seafarers to work on a ship

Title 2. Conditions of employment

Title 3. Accommodation, recreational facilities, food and catering

Title 4. Health protection, medical care, welfare and social security protection

Title 5- Compliance and enforcement

Title 1 . Minimum requirements for seafarers to work on a ship

- Regulation 1.1 – Minimum age
- Regulation 1.2 – Medical certificate
- Regulation 1.3 – Training and qualifications
- Regulation 1.4 – Recruitment and placement



Title 2. Conditions of employment

- Regulation 2.1 – Seafarers Employment Agreements (SEA)
- Regulation 2.2 – Wages
- Regulation 2.3 – Hours of work and hours of rest
- Regulation 2.4 – Entitlement to leave
- Regulation 2.5 – Repatriation
- Regulation 2.6 - Seafarer compensation for the ship's loss or foundering
- Regulation 2.7 – Manning levels
- Regulation 2.8 – Career and skill development and opportunities for seafarers employment

Title 3. Accommodation , recreational facilities, food and catering

- Regulation 3.1 – Accommodation and recreational facilities
- Regulation 3.2 – Food and catering



Title 4. Health protection, medical care, welfare and social security protection

- Regulation 4.1- Medical care on board ship and shore
- Regulation 4.2 - Shipowner liability
- Regulation 4.3 – Health and safety protection and accident prevention
- Regulation 4.4 – Access to shore-based welfare facilities
- Regulation 4.5 – Social security

Title 5. Compliance and enforcement

- Regulation 5.1 – Flag State responsibilities, including Regulations: 5.1.1, 5.1.2, 5.1.3, 5.1.4, 5.1.5 & 5.1.6
- Regulation 5.2 – Port State responsibilities , including Regulations: 5.2.1 & 5.2.2
- Regulation 5.3 – Labour-supplying responsibilities



Definitions



Definitions

- For the purpose of this Convention and unless provided otherwise in particular provisions, the term:
- *competent authority* means the minister, government department or other authority having power to issue and enforce regulations, orders or other instructions having the force of law in respect of the subject matter of the provision concerned;
- *declaration of maritime labour compliance* means the declaration referred to in [Regulation 5.1.3](#);

Definitions

- *Seafarer* means any person who is employed or engaged or works in any capacity on board a ship to which this Convention applies
- Except as expressly provided otherwise, this Convention applies to all seafarers.



Definitions

- *Seafarers' Employment Agreement (SEA)* includes both a contract of employment and articles of agreement (1.2 million seafarers)
- *Seafarer Recruitment & Placement Service* means any person, company, institution, agency or other organization, in the public or the private sector, which is engaged in recruiting seafarers on behalf of shipowners or placing seafarers with shipowners

Definitions

- *Ship* means a ship other than one which navigates exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas where port regulations apply



Definitions

- *Shipowner* means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organization or persons fulfill certain of the duties or responsibilities on behalf of the shipowner.



Definitions

- In the event of doubt as to whether any categories of persons are to be regarded as seafarers for the purpose of this Convention, the question shall be determined by the competent authority in each Member after consultation with the shipowners' and seafarers' organizations concerned with this question



Definitions

- This Convention does not apply to warships or naval auxiliaries.
- Except as expressly provided otherwise, this Convention applies to all ships, whether publicly or privately owned, ordinarily engaged in commercial activities, other than ships engaged in fishing or in similar pursuits and ships of traditional build such as dhows and junks.



Definitions

- In the event of doubt as to whether this Convention applies to a ship or particular category of ships, the question shall be determined by the competent authority in each Member after consultation with the shipowners' and seafarers' organizations concerned.



Entry into force

- This Convention shall come into force 12 months after ratification by at least:
- 30 ILO Members States; and
- 33% of the world gross tonnage
- Entry into force: August 20, 2013



Entry into force – Status

Liberia: 07-Jun-2006

Marshall Islands:

25-Sep-2007

Bahamas:11-Feb-2008

Panama: 06-Feb-2009

Norway:10-Feb-2009

Bosnia and Herzegovina:

18-Jan-2010

Spain: 04-Feb-2010

Croatia: 12-Feb-2010

Bulgaria:12-Apr-2010

Canada:15-Jun-2010

St. Vincent & the

Grenadines 09-Nov-2010

Switzerland : 21-Feb-2011

Gabon: 12-May-2011

Benin:13-Jun-2011

Singapore: 15-Jun-2011

Denmark: 03-Jun-2011

Antigua & Barbuda:

11-August-2011

Latvia :12-Aug-2011

Luxemburg: 20-Sept-2011

Kiribati: 24-Oct-2011

Netherlands: 13-Dec-2011

Australia: 21-Dec-2011

Tuvalu: 16-Feb-2012

Saint Kitts and Nevis:

21-Feb-2012

Poland: 03-May-2012

Palau: 29-May-2012

Sweden: 28-Jun-2012

Cyprus: 20-Jul-2012

Russian Federation:

20-Aug-2012

Philippines: 20-Aug-2012

Greece: 04-Jan-2013

Finland: 09-Jan-2013

Malta: 18-Jan-2013

France: 28-Feb-2013

- NORMLEX - Information System on International Labour Standards
- 35 IMO Member States – 68.8% of the world gross tonnage

Training Package on the Application of MLC, 2006

The main objective of the training package is the familiarization, comprehension, understanding and training of persons involved in the shipping industry, in relation with:

- MLC, 2006
- Guidelines for Flag State Inspections
- Guidelines for Port State Control Officers
- Other important and updated information

Content

The courses entitled “*Training on the application of the Maritime Labour Convention (MLC 2006)*” and “*Training of Maritime Labour Inspectors on the application of the Maritime Labour Convention (MLC 2006)*” are specially designed to demonstrate the qualifications of participants in the relevant aspects of MLC-2006, the ability to maintain and update expertise and the necessary knowledge of the requirements of MLC-2006 as well as applicable national laws, regulations and other relevant instruments



Target Group

- Surveyors or Auditors experienced in maritime inspections, surveys or audits;
- Flag State or Port State Control Inspectors (ASI, GSI, Casualty Investigators);
- Independent Surveyors, Maritime Lawyers, Maritime Advisors,
- Representatives of seafarers and shipowners organizations; and
- Ship Owners, Ship Operators, Masters, Chief Engineers, Companies responsible for the Safety Management Systems, Crew & Ship Agencies and other persons involved in the shipping industry interesting in these courses.

Training Package I & II

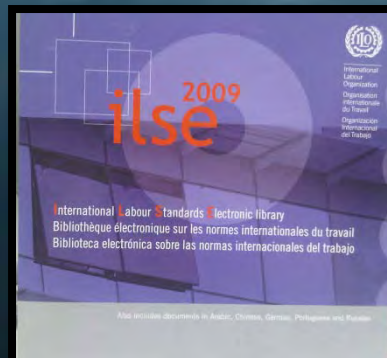
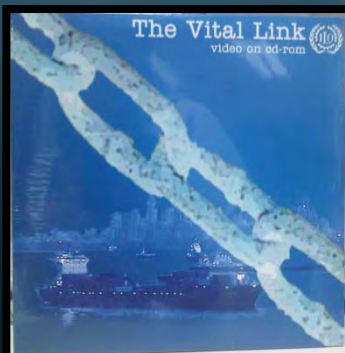
- Package I: *Distant Training Course*
- Package II: *On-site two-days Training Course*

Both packages are recommended for a best training and understanding of MLC, 2006.



Training Package I (Distance Learning Course)

Is treated as a distant learning course. At least one (1) month before the beginning of “*Training Package II*” all participants will be provided with the materials of “*Training Package I*” for a chance to assess you own knowledge through quizzes addressed at the end of this “*Training Package I*”.



Documents & Information

1- ILO promotional CD-Room in three languages (English-French-Spanish) including the following information:

- Welcome
- Introduction to the Convention
- The Convention & the Resolutions
- The Promotion of the Ratification
- The Conference
- Introduction Videos:

1st Video: Juan Somavia, Director-General, International Labour Office, Geneva, Switzerland; and

2nd Video: Cleopatra Doumbia-Henry, Director, International Labour Standards Department, International Labour Office, Geneva, Switzerland

Documents & Information

2- Training Package:

- Handouts: Guide for Trainers of Maritime Labour Inspectors
- Background to the MLC, 2006 and the Maritime Context
- Representative pictures
- Examples of Documents
- Presentations cover the following nine (9) modules:

Module A:	Background to the MLC, 2006 and the Maritime Context
Module B:	The Articles of the MLC, 2006
Module C:	Flag State Inspection and Certification
Module D:	Title 1: Minimum Requirements for Seafarers to work on a ship
Module E:	Title 2. Conditions of Employment
Module F:	Title 3: Accommodation, recreational facilities, food and catering
Module G:	Title 4: Health protection, medical care, welfare and social security
Module H:	Complaints under Title 5 of the MLC, 2006
Module I:	Port State Control under Title 5 of the MLC, 2006

Documents & Information

3- Convention & Guidelines:

- MLC, 2006 – Action Plan 2006-2011
- FAQs (Frequently Asked Questions)
- Guidelines for Flag State Inspections
- Guidelines for Port State Control Officers
- MLC, 2006
- Resolutions adopted by the International Labour Conference
- Additional updated information

Training Package II

(On-site two-days course)

More emphasis on the practical part (“how to inspect the ship”) based on Title 5 “*Compliance and Enforcement*” and including the following MLC-2006 Regulations:

- Regulation 5.1 – Flag State Responsibilities
- Regulation 5.1.2 – Authorization of Recognized Organization (RO)
- Regulation 5.1.3 – Maritime Labour Certificate (MLC) and Declaration of Maritime Labour Compliance (DMLC – Part I & Part II)
- Regulation 5.1.4 – Inspection and Enforcement
- Inspection & Certification requirements

Training Package II (Evaluation)

Individual Quizzes

- Multiple choice quizzes or True or False options identifying the applicable regulation, standard and paragraph of the MLC, 2006.
- Candidates will have access to MLC-2006, Guidelines for Flag Inspections, Guidelines for Port State Control Officers and dictionary for non-English speakers, therefore, will be an open book examination for all participants



Certification

Participants will receive two (2) certificates after successfully completion of individual evaluations at the end of “*Training Package I*” & “*Training Package II*”; both certificates will be signed by a certified trainer recognized by the International Labour Organization (ILO), these certificates can help attendees to obtain recognition from their organizations as professional inspector on the inspection of ships for compliance with the MLC, 2006.

Nomination

Nomination Form to participate on “*Training Package I*” & *II*” should be addressed to:

Eng. Mariolga Agreda
Operations Department
Intermaritime Certification Services (ICS)
mary@icsclass.org
Phone (507) 226-0530 - Fax: (507) 226-5386

Participants must complete the [Nomination Form](#) and email it to: Eng. Mariolga Agreda

For any question or any doubt please contact:

Eng. Frank H. Marmol

Principal Surveyor

Marine Division

Class & Statutory Department

Intermaritime Certification Services (ICS)

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