

**St. Kitts and Nevis
International Ship
Registry**

*Flying the Flag of the
Federation Worldwide*



West Wing, York House
48-50 Western Road
Romford, RM1 3LP
United Kingdom

Tel: +44 (0) 1708 380400

Fax: +44 (0) 1708 380401

Email: mail@StKittsNevisRegistry.net

www.StKittsNevisRegistry.net

Maritime Circular to Maritime Registrars, Ship-owners, Masters, Managers & Operators of St. Kitts & Nevis Ships, Classification Societies, Recognised Organisations, Recognised Security Organisations, Surveyors of Ships & Flag State Inspectors to this Administration, Seafarers & IMO Member States

Maritime Circular No: MC/51/13 (Revision 1)

DATE: July 2013

**PROCEDURES & GUIDANCE FOR CERTIFICATION FOR THE
MARITIME LABOUR CONVENTION, 2006 (MLC 2006)**

Glossary of Abbreviations

SKN - Saint Kitts & Nevis
SKANReg - St. Kitts & Nevis International Ship Registry
Director . Director of Maritime Affairs
DMA . Department of Maritime Affairs
Registrar . International Registrar of Shipping & Seamen
MLC 2006 . Maritime Labour Convention, 2006
MLC Regulations . Merchant Shipping (Maritime Labour Convention, 2006) Regulations 2013
DMLC . Declaration of Maritime Labour Compliance
ML Certificate . Maritime Labour Certificate
RO . Recognised Organisation
ILO . International Labour Organisation
WHO . World Health Organisation
Website . www.stkittsnevisregistry.net

Contents

Page

1) Introduction	2
2) Application	3
3) Exemptions	4
4) Recognised Organisations & Inspectors	5
5) Inspection and Certification	6-10
6) On board Complaint Procedures	11
7) Financial Security	12
8) Seafarer Recruitment and Placement Services	13
9) Cooks, Food & Catering	14
10) Health Protection & Medical Care	15
11) Documents available on website	16

1. Introduction

Shipowners, managers, seafarers, seafarer recruitment & replacement services, recognised organisations, flag state inspectors and any other parties with an interest in matters to do with maritime labour and service onboard a ship should familiarise themselves with the contents of this Maritime Circular, the MLC Regulations and MLC 2006.

The Maritime Labour Convention comes into force worldwide on 20th August 2013.

It is a Convention prepared by the International Labour Organisation www.ilo.org

It is the purpose of the Maritime Labour Convention, 2006 to ensure that every seafarer has the right to:

- a) A safe and secure workplace that complies with safety standards
- b) Fair terms of employment
- c) Decent working and living conditions on board ship; and
- d) Health protection, medical care, welfare measures and other forms of social protection

SKN is in the process of promulgating regulations to give effect to MLC 2006, these will come into force on 20th August 2013.

The MLC Regulations are now anticipated to be enacted immediately prior to the entry into force of the Convention. The draft Regulations are available on our website and having been prepared by the ILO following a Gap Analysis of our National Legislation, are not expected to require anything other than drafting amendment prior to enactment. If there are any changes, they will be communicated at the earliest opportunity. Therefore, the draft Regulations have been quoted in the DMLC Part 1 and can be used at this time.

Once the MLC Regulations are enacted into law, the instructions in this Maritime Circular and the documents referenced within, which are available on the website, will have full effect. **In the meantime to assist shipowners and managers they can be used to proceed with the inspection & certification process, including issuing of Maritime Labour Certificates.**

As MLC 2006 is a major new Convention, shipowners are recommended to make sure their Masters, senior officers and responsible shore-based managers have attended training courses or received in-depth training on the subject.

In accordance with ILO Resolution XVII, Administrations have been requested to place their concentration initially upon bulk carriers and passenger ships to have them all certified by 20 August 2013. However, except for exceptional cases, SKN strongly recommends that **ALL APPLICABLE SHIPS TRADING INTERNATIONALLY WHEN MLC 2006 ENTERS INTO FORCE ARE IN POSSESSION OF A MARITIME LABOUR CERTIFICATE.**

A copy of a Declaration of Maritime Labour Compliance . Part I, (DMLC Part 1), is available on the website to assist shipowners/managers and seafarers in preparing themselves for compliance and certification of MLC 2006.

This Maritime Circular and associated documents should assist shipowners in complying with their obligations. They are not meant to be exhaustive and the MLC Regulations take primacy at all times. It is hoped, however, that the contents of this Maritime Circular will assist all concerned with their understanding and implementation of MLC 2006 and the approaches taken by SKN towards its implementation.

2. Application

Ships

2.1.1 MLC 2006 applies to every ship that flies the flag of SKN, whether publicly or privately owned, ordinarily engaged in commercial activity other than:

- a) Ships which navigate exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas where port regulations apply;
- b) Ships engaged in fishing or in similar pursuits;
- c) Ships of traditional build such as dhows and junks; and,
- d) Warships or naval auxiliaries.

A ship and a small ship shall be as defined within the Merchant Shipping Act. In addition, in the event of doubt as to whether these MLC Regulations apply to a ship or a particular category of ships, the question will be determined by the Director, after consultation with the concerned shipowners and seafarers' organisations, as necessary.

2.1.2 Commercial activity is considered to be any maritime activity undertaken for the purpose of generating revenue.

2.1.3 SKANReg in conjunction with the Director will determine the waters of SKN which are within or closely adjacent to sheltered waters or areas where port regulations apply and any other similar waters elsewhere.

2.2 Ships under 200GT

SKANReg in conjunction with the Director and after consultation with the concerned organizations as necessary, may determine that all or any of the requirements of MLC 2006 should not apply to ships of less than 200 gross tonnage (GT) not engaged on international voyages.

2.3 Seafarers

2.3.1 The MLC 2006 applies to all seafarers.

- a) Seafarer and seaman have the same meaning and cover both males and females.
- b) Seaman shall be as defined within the Merchant Shipping Act.
- c) In addition, a Seafarer includes every person employed or engaged in any capacity, on board any SKN ship to which the MLC 2006 applies.
- d) In accordance with Resolution VII adopted on 22nd February 2006 by the 94th (Maritime) Session of the International Labour Conference, held in Geneva, SKN also allows that the term "seafarer" means the Master and everyone working on-board including shopkeepers, resident entertainers, hairdressers and similar persons.

2.3.2 Persons whose work is not part of the routine business of the ship and whose principal place of business is ashore are NOT considered as seafarers. The following categories of persons are therefore not considered as seafarers:

- a) scientists, researchers, divers, specialist off-shore technicians, etc. whose work is not part of the routine operation of the ship;
- b) although trained and qualified in maritime skills and perform key specialist functions, the work of harbour pilots, inspectors, surveyors, auditors, superintendents is not part of the routine operation of the ship;
- c) guest entertainers, repair technicians, port workers whose work is occasional and short term with their principal place of employment being ashore; and
- d) non-marine personnel, employed under outsourced service agreements, the terms of which determine the conditions under which the service provider will supply the necessary personnel;

2.3.3 If there is a doubt as to whether a category of persons should be regarded as a seafarer, the matter will be determined by SKANReg in conjunction with the Director, after

consultation with the concerned shipowners and seafarers' organizations, as necessary.

3. Exemptions & Substantial Equivalencies

- 3.1 The MLC 2006 allows very limited options for granting an exemption from its provisions.
- 3.2 Generally, these may only be agreed in consultation with the concerned organizations or agreed through the Special Tripartite Committee at the ILO.
- 3.3 Therefore, SKN **STRONGLY RECOMMENDS** to shipowners to aim for full compliance where possible without relying on exemptions since both processes mentioned in 3.2 **ARE EXPECTED TO BE LENGTHY ONES.**
- 3.4 For ships of less than 200 GT, shipowners may seek to obtain an exemption from some of the requirements for accommodation, (as provided for in paragraph 20 of Standard A3.1 of MLC), where it is reasonable to do so, taking into account the size of the ship and the number of persons on-board. Such requests for exemptions should contain clearly justifiable reasons with a strong grounding and subject to protecting the seafarers' health and safety.
- 3.5 A shipowner who wishes to request an exemption must submit an application to SKANReg in advance of the application for issue of the ships DMLC Part I. Application Form A16 (available on website) must be used for this. Fees at the rate of USD 200 per hour or part thereof, will be charged for assessing a request for an exemption.

4. Recognised Organisations and Inspectors

4.1 SKN will, to the extent outlined at paragraph 4.2, delegate inspection and certification functions under the MLC 2006 to the following Recognized Organizations (ROs) with whom SKN already has agreements for the delegation of statutory services and other inspectors as may be determined from time to time and whose details will be available on the website:

American Bureau of Shipping (ABS)
Bureau Veritas (BV)
China Classification Society (CCS) *
Det Norske Veritas (DNV) *
Germanischer Lloyd (GL)
Indian Register of Shipping (IR Class)
International Register of Shipping (IRS)
Korean Register of Shipping (KR)
Lloyds Register (LR)
Nippon Kaiji Kyokai (Class NK)
Polski Rejestr Statków (PRS)
Registro Italiano Navale (RINA)
Russian Maritime Register of Shipping (RMRS)
Turk Loydu (TL)

* Separate Written authorization from the office of the International Registrar required.

4.2 The inspection and certification functions to be carried out by ROs include the following:

- Approval of Plans and Drawings in respect of the Title 3 of MLC 2006;
- Approval of Declaration of Maritime Labour Compliance Part II;
- Initial inspection and issue of a Short Term Certificate;
- Interim inspection and issue of Interim Certificate;
- Issuing of Full-Term Certificate
- Intermediate inspection and endorsement of Certificate;
- Renewal inspection and issue of a Short Term Certificate;
- Withdrawal of a Certificate;
- Require the rectification of deficiencies found during the inspections;
- Inspections at the request of a Port State for the rectification of the deficiencies found during a Port State Control (PSC) inspection; and
- Investigate complaints if specifically authorised by the SKN.
- **Note:** Responsibility for the resolution of a complaint remains with SKN.

4.3. SKN may, on a case by case basis, authorise one of our flag state inspectors who are qualified (i.e. possess the training and competence outlined in Standard 5.1.4) to discharge any or all of the functions at 4.2 and to undertake related activities outlined in this Maritime Circular. However, this will only be in exceptional circumstances.

5. Inspection and Certification

5.1 General Requirements

5.1.1 MLC 2006 requires **ALL THE BELOW SKN SHIPS** to carry a ML Certificate:

- (a) 500 GT or over and engaged in international voyages;
- (b) 500 GT or over and operates from a port, or between ports, in a country other than SKN.
- (c) For the purpose of MLC, ~~an~~ international voyage means a voyage from a country to a port outside such a country.
- (d) Where applicable the GT of the ship will be taken as that stated in the ~~Remarks~~ section of the International Tonnage Certificate

5.1.2 It is not mandatory for a vessel of less than 500GT to have a ML Certificate on board. This certificate can be issued on a voluntary basis if requested. However, SKN **STRONGLY RECOMMENDS** that shipowners/managers of vessels of less than 500GT voluntarily apply for a ML Certificate in order to reduce possible problems with PSC. Vessels under 500GT are subject to PSC inspections and the RO should provide the relevant inspection report on-board for submission to a PSC Officer, as necessary.

5.1.3 SKN **STRONGLY RECOMMENDS** to shipowners/managers to apply for MLC 2006 certification as soon as possible. All ships should be inspected and certified, as applicable, by 20th August 2013.

5.1.4 The scope of inspection for initial, interim or renewal of the ML Certificate will follow the ILO ~~Guidelines~~ **Guidelines for Flag State Inspections under MLC, 2006**' (available on website).

5.1.6 As with surveys for other statutory certificates, shipowners should contact their Classification Society/Recognised Organisation for MLC 2006 inspections.

5.1.7 After conducting an MLC 2006 inspection of any SKN ship, the RO should provide an Inspection Report to SKN, whether the ship is certificated or not.

5.1.8 In the case of a Port State Control inspection, a valid ML Certificate and DMLC shall be accepted as *prima facie* evidence of compliance with the requirements of the Convention including seafarers' rights, unless the PSC Officer finds that:

- the required documents are not produced or maintained or are falsely maintained or that the documents produced do not contain the information required by the Convention or are otherwise invalid; or
- there are clear grounds for believing that the working and living conditions on the ship do not conform to the requirements of the Convention; or
- there are reasonable grounds to believe that the ship has changed flag for the purpose of avoiding compliance with the Convention; or
- there is a complaint alleging that specific working and living conditions on the ship do not conform to the requirements of the Convention; then

a more detailed inspection may be carried out to ascertain the working and living conditions on board the ship.

5.2 Procedure for Shipowners/Managers to obtain MLC 2006 Certification (Initial Inspection)

- 5.2.1 Shipowners/managers should conduct a gap analysis of the ship and Company policy against the SKN MLC Regulations (including the DMLC Part 1).
- 5.2.2 Any areas of concern raised from the gap analysis should be discussed with the relevant RO.
- 5.2.3 Shipowners/managers should have documented procedures to comply with the requirements of MLC 2006. The Master should be familiar with the requirements of MLC 2006 and is responsible for its implementation.
- 5.2.4 Shipowners/managers should make a formal application to SKANReg on the Application Form A25, which can be downloaded from the website, for a ship specific DMLC Part I. **A FEE WILL BE PAYABLE FOR THIS.**
- 5.2.5 An additional fee may be required for the review of any requested exemption or equivalency.
- 5.2.6 A ship specific DMLC Part I will be issued by SKANReg as an electronic (emailed) A4 size PDF document. This will be e-mailed to the shipowner/manager/Maritime Registrar as appropriate. A hard copy will not be issued in normal circumstances. If a hard copy is required, an additional fee will be levied. The DMLC Part I will include exemptions **IF ANY** and/or equivalences authorised by SKN. (Please see Paragraph 3 above - Exemptions).
- 5.2.7 In order to prepare the vessel for an initial MLC 2006 inspection, the shipowners/managers should complete the DMLC Part II which is available on the website. Shipowners should be guided by the sample in Appendix B5-1 to the MLC 2006 and may wish to seek guidance from the RO.
- 5.2.8 DMLC Part II prepared by the shipowners/managers should be submitted together with the ship's specific DMLC Part I to the RO for review and acceptance of DMLC Part II.
- 5.2.9 Upon review of both DMLC Part I and DMLC Part II and acceptance of DMLC Part II, the ship's initial MLC 2006 inspection should be agreed with the RO.
- 5.2.10 Upon a satisfactory initial inspection, the RO will issue a Short Term ML Certificate valid for up to five (5) months and approve the DMLC Part II. Originals of DMLC Part I (issued by SKANReg) and the DMLC part II (completed by the shipowners/managers and approved by the RO) should be kept on board together with the Short Term ML Certificate (issued by the RO).
- 5.2.11 The RO should forward a copy of the Short Term ML Certificate, DMLC Part I, DMLC Part II and inspection report to SKANReg and/or make same available to SKANReg via their own website.
- 5.2.12 Shipowners/managers should apply to the RO for the issue of a Full Term ML Certificate which usually has a validity of 5-years subject to an intermediate inspection.

5.3 Procedure for Shipowners/Managers to obtain Interim ML Certificate

- 5.3.1 An Interim ML Certificate may be issued:
 - a) to new ships on delivery;
 - b) when a ship changes flag; or
 - c) when a shipowner assumes responsibility for the operation of a ship which is new to that shipowner.
- 5.3.2 An Interim Maritime Labour Certificate may be issued by an RO for a period not

exceeding six (6) months. **Interim certificates will not be extended or re- issued.**

- 5.3.3 The shipowner should follow the procedures 5.2.1 to 5.2.6 inclusive above, then arrange for an inspection of the vessel to be carried out by an RO. DMLC Part II is not required for interim ML inspection/certification.
- 5.3.4 Upon a satisfactory inspection, the RO should issue an Interim ML Certificate valid for a period not exceeding six (6) months. **No further Interim ML Certificate can be issued.**
- 5.3.5 The RO should forward a copy of the Interim ML Certificate and inspection report/inspection log to SKANReg.
- 5.3.6 Shipowners/managers should apply to the RO for the issue of a Full Term ML Certificate.

5.4 Intermediate Inspection and Endorsement of the ML Certificate

- 5.4.1 The validity of the ML Certificate is subject to an intermediate inspection. If only one intermediate inspection is carried out and the period of validity of the certificate is five (5) years, it should take place between the second and third anniversary dates of the certificate. The scope and depth of the intermediate inspection should be equal to an inspection for the renewal of the ML Certificate.
- 5.4.3 The ML Certificate should be endorsed by the RO, following a satisfactory intermediate inspection.
- 5.4.4 The RO should forward a copy of the Interim ML Certificate and inspection report/ to SKANReg.
- 5.4.5 The ML Certificate will cease to be valid if the intermediate inspection is not carried out as required.

5.5 Renewal Inspection and Renewal of the ML Certificate

- 5.5.1 All national requirements (as per the initial inspection) implementing MLC 2006 need to be verified during a ML Certificate's renewal inspection.
- 5.5.2 The renewal inspection should be completed by the RO within the period three (3) months before the expiry date of the existing ML Certificate. On satisfactory completion a Short Term ML Certificate valid for five (5) months should be issued by the RO.
- 5.5.3 The RO will then process and issue a new full-term ML Certificate This certificate will be valid for a period of five (5) years from the date of expiry of the existing ML Certificate.
- 5.5.4 When the renewal inspection is satisfactorily completed more than three (3) months before the expiry date of the existing ML Certificate, the new ML Certificate will be valid for a period not exceeding five (5) years, from the date of completion of the renewal inspection.
- 5.5.5 If a ship's certificate expires when the ship is not in a port, SKN may extend the period of validity of the certificate. This extension will only be granted for the purpose of allowing the ship to complete her voyage to the port in which she will be verified. No certificate shall be extended for more than three (3) months for this purpose. Documented evidence from SKN granting this request should be reviewed by the RO prior to endorsing the extension. SKN may charge a fee for this extension.
- 5.5.6 When the renewal inspection is satisfactorily completed after the expiry date of the existing certificate, the new certificate will be valid from the date of the completion of the renewal inspection to a date not exceeding five years from the date of expiry of the existing certificate.

5.6 Cessation (Invalidation) of Certificates

5.6.1 A ML Certificate and a DMLC will cease to be valid if:

- a) the required inspections as stated in the MLC Regulations are not carried out;
- b) the ML Certificate is not endorsed during the intermediate inspection;
- c) a ship changes flag, i.e. is no longer a SKN ship;
- d) the shipowner/manager is no longer responsible for the operation of the ship;
- e) substantial modifications are made to the structure or equipment; or
- f) amendments to national laws or regulations or other measures implementing MLC 2006 are not taken into account.

5.6.2 ML Certificate and DMLC Withdrawal

The ML Certificate and the DMLC will be withdrawn by SKN or the RO if there is evidence of serious or frequent deficiencies and the required corrective action has not been taken.

5.7 Change of Flag

To support the timely re-certification when a ship changes change flag, (see 5.6.1.c above), SKN undertakes to implement the guidelines in MLC 2006 concerning transmission of ML Certificate, DMLC and relevant inspection reports, B5.1.3.6 of which provides:

When a ship changes flag ... and where both States concerned have ratified this Convention, the Member whose flag the ship was formerly entitled to fly should, as soon as possible, transmit to the competent authority of the other Member copies of the maritime labour certificate and the declaration of maritime labour compliance carried by the ship before the change of flag and, if applicable, copies of the relevant inspection reports if the competent authority so requests within three months after the change of flag has taken place.

SKN's point of contact for the purposes of this requirement is the office of the Registrar;

St. Kitts & Nevis International Ship Registry
West Wing, York House,
48-50 Western Road,
Romford, Essex, RM1 3LP
UK

Email: mail@stkittsnevisregistry.net
Tel: +44 1708 380400
Fax + 44 1708 380408

5.8 Change of Class

Please refer to the separate Maritime Circular 54/13 on this subject, which follows the IACS Procedural Requirement PR36 (March 2013). We acknowledge, with thanks, IACS's agreement to use this.

5.9 Accommodations and Onboard Recreational Facilities

5.9.1 New Ships

The requirements which relate to ship construction and equipment apply only to ships constructed on or after the date when the Convention comes into force for SKN i.e. 20th August 2013. Accommodation and onboard recreational facilities of such new ships should meet with the provisions stated in Paragraphs 6 to 17 of Standard 3.1 and Part B3.1 of MLC 2006. Variations may be allowed in the seafarers' interests with different and distinctive religious and social practices.

5.9.2 Existing Ships

- a) For ships constructed before 20th August 2013 - existing ships - the requirements relating to ship construction and equipment that are set out in the ILO Conventions, Accommodation of Crews Convention (Revised), 1949 (No. 92), and the Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133), shall be applied to the extent that they were applicable, prior to that date, (as recommended in the ILO Guidelines for Flag State Inspections under the MLC, 2006+. i.e. that ships that were in existence before the entry into force of the MLC, 2006 will be inspected in connection with seafarers' accommodation and recreational facilities to verify that the ship provides and maintains decent accommodation and recreational facilities for seafarers working or living on-board, or both, consistent with promoting the seafarers' health and well-being in accordance with national legislation).
- b) A ship shall be deemed to have been constructed on the date when its keel is laid or when it is at a similar stage of construction.
- c) Existing ships should be inspected by ROs or Inspectors to ensure that the accommodation and recreational facilities are clean and maintained in a condition which promotes seafarers' health and well-being.
- d) ROs conducting the initial inspection of existing SKN ships should complete their own or the Checklist for accommodation of existing ships on the website for compliance of the ship with the ILO Conventions mentioned at 5.8.2 above. **The inspection report should be retained on board as long as the ship remains registered with SKN.**
- e) Any alteration other than substantial alteration of accommodation and recreational facilities of existing ships should be carried out in accordance with ILO Conventions C92 and C133.
- f) Any substantial alteration of accommodation and recreational facilities of existing ships should be carried out in accordance with MLC 2006.

6. On board Complaint Procedures

- 6.1 It is a mandatory requirement for shipowners to establish on board procedures for the handling of seafarers' complaints alleging breaches of the requirements of MLC 2006, including seafarers' rights, in accordance with the national requirements and the requirements of MLC 2006.
- 6.2 It is also mandatory for shipowners to ensure that each seafarer has:
- a) A copy of the complaint procedures;
 - b) The shipowner's contact details or the contact details of the shipowner's representative ashore who is responsible for handling and resolving complaints;
 - c) The contact details for SKN's point of contact for receipt of complaints. (See paragraph 6.8); and,
 - d) The contact details of the Competent Authority (Article II . 1 (a)) in the seafarer's country of residence.
- 6.3 The procedures should be designed to resolve complaints at the lowest possible level but should not prevent a seafarer from making a complaint directly to the Master, to the shipowner, to SKN or to the Competent Authority for MLC 2006 in the seafarer's country of residence, if necessary.
- 6.4 The complaint system should include safeguards against victimization.
- 6.5 The complaints system should at least ensure that:
- a) The complainant seafarer briefly describes his/her complaint;
 - b) The complainant seafarer should submit his/her complaint in writing within seven (7) days of the occurrence, or according to the circumstances, following the hierarchy below:
 - Superior Officer
 - Head of Department
 - Master
 - c) Each of the indicated ranks has a further seven (7) days to solve the complaint.
 - d) If the Master is unable to resolve the complaint, the seafarer will have ten (10) days to bring it through the Master to the shipowner, or if the complaint is to the prejudice of the Master, then directly to the shipowner or his representative ashore.
 - e) The shipowner or his representative ashore and the seafarer concerned will have a period of thirty (30) days to resolve the complaint.
 - f) If after thirty (30) days, the complaint has not been solved, then either party will have a further thirty (30) days to bring the matter to SKANReg.
 - g) Seafarers making a complaint may be accompanied or represented during the complaint procedure. Each seafarer should be provided with the name of a person on- board who can provide impartial advice on a complaint on a confidential basis. As a substantial equivalent, SKN accepts that the identity of a position (rank) on board may be substituted for the name of a person.
- 6.7 In accordance with the Regulation 5.1.5 of the MLC 2006 seafarers should be provided with a copy of the on-board complaints procedures which include contact details of the competent authority. A Model procedure approved by the Director is attached.
- 6.8 SKN's point of contact for receipt and resolution of seafarer complaints (paragraph 6.2.3) is the office of the Registrar;

St. Kitts & Nevis International Ship Registry
West Wing, York House, 48-50 Western Road, Romford, Essex, RM1 3LP
UK
Email: mail@stkittsnevisregistry.net
Tel: +44 1708 380400
Fax + 44 1708 380408

7. Financial Security

- 7.1 Shipowners are required to arrange financial security, arising under the MLC 2006 as follows:
- a) Repatriation of seafarers (Standard A2.5);
 - b) Seafarers' compensation for the ship's loss or foundering (Standard A2.6);
and,
 - c) Shipowners' liability (Standard A4.2).
- 7.2 A P&I Club "Certificate of Entry" from a member of the International Group of P&I Clubs or another P&I Club or insurer who has satisfied SKANReg that their insurance covers the financial security for the shipowner's liabilities established in the MLC is accepted as proof of this. (See additionally below 7.5)
- 7.3. For an initial ship specific DMLC, the P&I Club "Certificate of Entry" is to be submitted with the Application for the DMLC or if not available then as soon as possible thereafter. In this case the RO may be instructed by SKANReg not to issue the ML Certificate until the evidence of financial security is provided to SKANReg.
- 7.4 If the shipowner is self-insured or using another form of financial security, the Registrar may require additional documentation to satisfy these provisions. An Administration fee may be charged to the shipowner or organisation supplying the financial security for review of such documents.
- 7.5 P&I Clubs and other organisations supplying insurance and P&I services to ship-owners should refer to Maritime Circular 53/13 for our requirements.

8. Seafarer Recruitment and Placement Services (Crewing Agents/Agencies) – ‘Services’

- 8.1 Shipowners should, as far as possible, only use Services that are in countries that have ratified MLC 2006.
 - 8.1.1 A shipowner that uses Services in countries, in which MLC 2006 has not been ratified, must ensure, as far as practicable, that those services conform to the requirements established by MLC 2006 (Standard A1.4) and the MLC Regulations.
- 8.2 Seafarers are cautioned to exercise care if using Services in a country that has not ratified MLC 2006 or signing-on a ship of a flag state that has not ratified MLC 2006, as their terms of employment, working & living conditions onboard and health protection & social care may be of a far lower standard.
- 8.3 Services should pay particular attention to the requirements under which they should operate according to MLC 2006 (Standard A1.4) and the MLC Regulations.
- 8.4 Any complaints about the service of Recruitment and Placement Services in St. Kitts & Nevis should in the first instance be directed to the Director of Maritime Affairs at the address below and for those operating in other countries to the office of the Registrar at the address shown above at 6.8.

Director of Maritime Affairs
Building Nbr 3/4
Port Zante
Basseterre, St.Kitts
Email: maritimeaffairs@yahoo.com
Tel: + 1 869 467 1391-2

9. Cooks, Food and Catering

- 9.1 Ships with a prescribed manning of 10 or more require a cook who is qualified according to MLC 2006, Regulation 3.2, Standard A3.2; i.e. 11 seafarers including the cook.
- 9.2 For a prescribed manning of less than 10, this requirement may be waived if there is a suitable alternative arrangement.
- 9.3 Seafarers serving as cooks must have passed an examination prescribed by the Director (no examination has been prescribed at the time of issue of this Maritime Circular) or passed an examination at an approved training school for cooks or hold a certificate of qualification/competency as a ships cook issued by countries which have ratified the Maritime Labour Convention, 2006, or the Certification of ShipsqCooks Convention, 1946 (No. 69), or other approved body; and
- 9.4 have served at sea for a minimum period of 12 months of which 6 months must have been in the capacity of second cook or cooks assistant.
- 9.5 Cooks serving onboard SKN ships will require, by 1st January 2014, to hold a certificate of equivalent proficiency (Certificate of Endorsement) issued by SKANReg. This will be issued to cooks who have completed the training as required by MLC. Cooks should apply to SKANReg for this certificate using Application Form A15 available on the website.
- 9.6 Guidance on food handling and preparation and associated matters will be published on the website in due course.

NOTE: The ILO is convening a meeting of experts to adopt guidelines on the training of ship's cooks in September 2013. In view of this, SKN intend to take a pragmatic and flexible approach to the certification of cooks who may lack some or all of the certification/qualifications as currently prescribed by MLC 2006, including those who have many years of experience in that post, until the results of that meeting are published.

10. Health Protection & Medical Care

- 10.1 Shipowners shall adopt measures to provide for health protection and medical care including dental care for seafarers.
- 10.2 Ships shall carry a medical chest which shall conform to the recommendations of the most recent edition of the International Medical Guide for Ships issued by WHO.
- 10.3 The following medical guides should be kept onboard:
 - WHO International Medical Guide for Ships,
 - WHO/ILO/IMO Medical First-Aid Guide for Use in Accidents Involving Dangerous Goods,
 - ILO/IMO Document for Guidance - An International Maritime Training Guide, and
 - The medical signal code of the International Code of Signals;
- 10.4 Ships carrying more than 100 persons engaged on international voyages shall carry a doctor.
- 10.5 Ships not carrying a doctor shall have either at least one seafarer on board who is in charge of medical care and administering medicine as part of their regular duties or at least one seafarer on board competent to provide medical first-aid;
- 10.6 Attention is brought to Maritime Circular MC/12/09 concerning the services offered by the **International Radio Medical Centre** (www.cirm.it) for 24-hour assistance in the event of a medical emergency.

11. Documents available on website referring to MLC 2006

- 1) Maritime Circular MC/51/13 (Rev 1) . Procedures for MLC Certification
- 2) Text of Maritime Labour Convention, 2006
- 3) Resolutions of ILO-ILC 94th Session
- 4) ILO FAQs
- 5) Merchant Shipping (Maritime Labour Convention, 2006) Regulations 2013
- 6) Application for a Declaration of Maritime Labour Compliance Part I, Form A25
- 7) Declaration of Maritime Labour Compliance (DMLC) Part I
- 8) Declaration of Maritime Labour Compliance (DMLC) Part II
- 9) Maritime Labour Certificate
- 10) Interim Maritime Labour Certificate
- 11) ILO Guidelines for Flag State Inspections under MLC, 2006q
- 12) Checklist for accommodation of existing ships
- 13) Table of Shipboard Working Arrangements
- 14) Form for Records of Hours of Rest
- 15) Ship Master's Report Form for Medical Information
- 16) Model onboard Complaint handling procedures
- 17) WHO Medical Guide for Ships, 3rd Edition
- 18) Maritime Declaration of Health
- 19) WHO International Health Regulations, Guide to Ship Sanitation, 3rd Edition,
- 20) Notice re Meeting of Experts to Adopt Guidelines on the Training of Ships' Cooks
- 21) Maritime Circular MC/53/13-MLC Requirements for P+I Clubs & Insurers
- 22) Maritime Circular MC/54/13-MLC Procedure When Change of Class