


European Maritime Safety Agency

# MED MoU PSC SEMINAR


## PSC INSPECTION OF LABOUR CONDITIONS ON BOARD SHIPS


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### PSC INSPECTION OF LABOUR CONDITIONS OF BOARD SHIPS





Med MoU on PSC  
BASIC PRINCIPLES

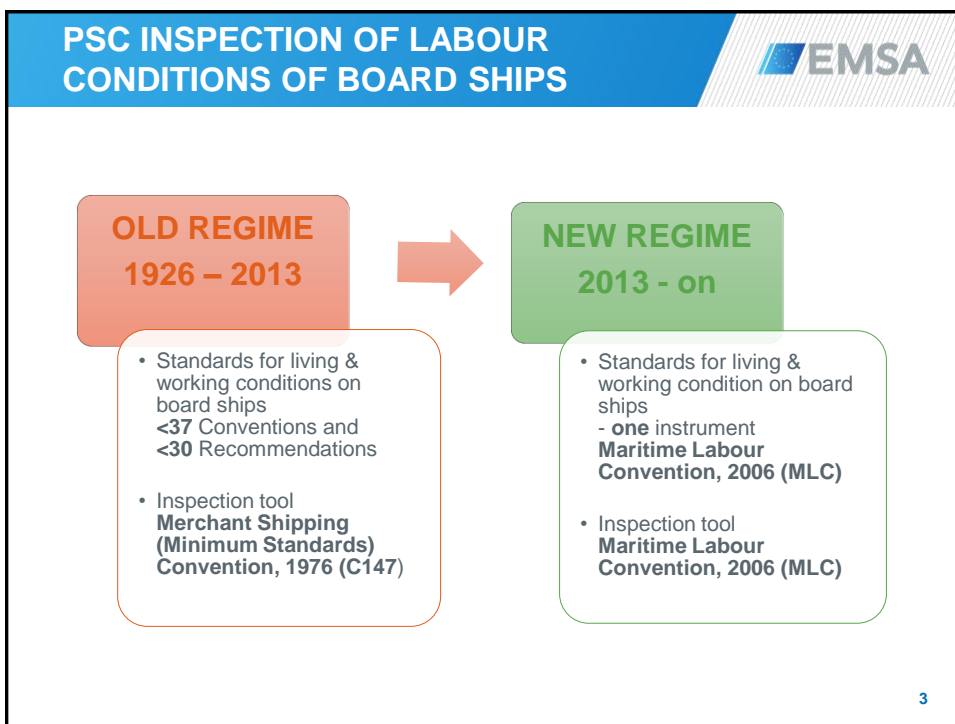
PS Authority apply ONLY:

Instruments in force (the port State is party to)

Amendments in force (the port State has accepted)

No more favourable treatment to ships & crews of non-ratifying flag States

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## INSPECTION OF LABOUR CONDITIONS ON BOARD SHIPS

### Med MoU members STATISTICS ON RATIFICATION

Med MoU member	C 147	MLC 2006
Algeria	Ratified, in force	Not ratified, not in force
Cyprus	Denounced	Ratified, in force
Egypt	Ratified, in force	Not ratified, not in force
Israel	Ratified, in force	Not ratified, not in force
Jordan	Ratified, in force	Not ratified, not in force
Lebanon	Ratified, in force	Ratified, not yet in force
Malta	Denounced	Ratified, in force
Morocco	Denounced	Ratified, in force
Tunisia	Not ratified, not in force	Not ratified, not in force
Turkey	Not ratified, not in force	Not ratified, not in force

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## INSPECTION OF LABOUR CONDITIONS ON BOARD SHIPS



### Legal Grounds:

#### MED MoU on PSC

#### Section 2 "Relevant instruments"

##### 2.1

- .10 The Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention No. 147) (ILO 147);
- .11 The Protocol of 1996 of the Merchant Shipping (Minimum Standards) Convention, 1976 (ILO Convention No. 147) (ILO147);
- .12 The Maritime Labour Convention, 2006 (MLC 2006);

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## INSPECTION OF LABOUR CONDITIONS ON BOARD SHIPS



### Med PSC regime under C147

- **Umbrella** Convention – refers to a **number of ILO Conventions**, listed in Appendix
- Inspections – based on a **complaint or evidence for non-conformity with the standards** of C147 (what standards?)
- Subject to inspection - **any ship** regardless of whether the flag State has ratified C147
- Follow-up actions:
  - Report to the flag State + copy to the Director-General of ILO if a ship fails to meet the C147 requirements;
  - Ensure rectification of deficiencies, clearly hazardous to seafarers' safety and health before proceeding to sea (may even include detention until corrective actions are taken)

#### C147 - Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)

##### ANNEX

##### APPENDIX

Minimum Age Convention, 1973 (No. 138), or

Minimum Age (Sea) Convention (Revised), 1926 (No. 58), or

Minimum Age (Sea) Convention, 1920 (No. 7);

Shipowners' Liability (Sick and Injured Seamen) Convention, 1926 (No. 55), or

Sickness Insurance (Sea) Convention, 1936 (No. 96), or

Medical Care and Sickness Benefits Convention, 1969 (No. 120);

Medical Examination (Seafarers) Convention, 1948 (No. 73);

Prevention of Accidents (Seafarers) Convention, 1970 (No. 124/Article 4 and 7);

Accommodation of Crews Convention (Revised), 1949 (No. 92);

Food and Catering (Ships' Crews) Convention, 1946 (No. 68) (Article 5);

Officers' Competency Certificates Convention, 1928 (No. 52) (Articles 3 and 4);

(Note: In cases where the established licensing system or certification structure of a State would be prejudiced by problems arising from strict adherence to the relevant standards of the Officers' Competency Certificates Convention, 1928, the principle of substantial equivalence shall be applied so that there will be no conflict with that State's established arrangements for certification.)

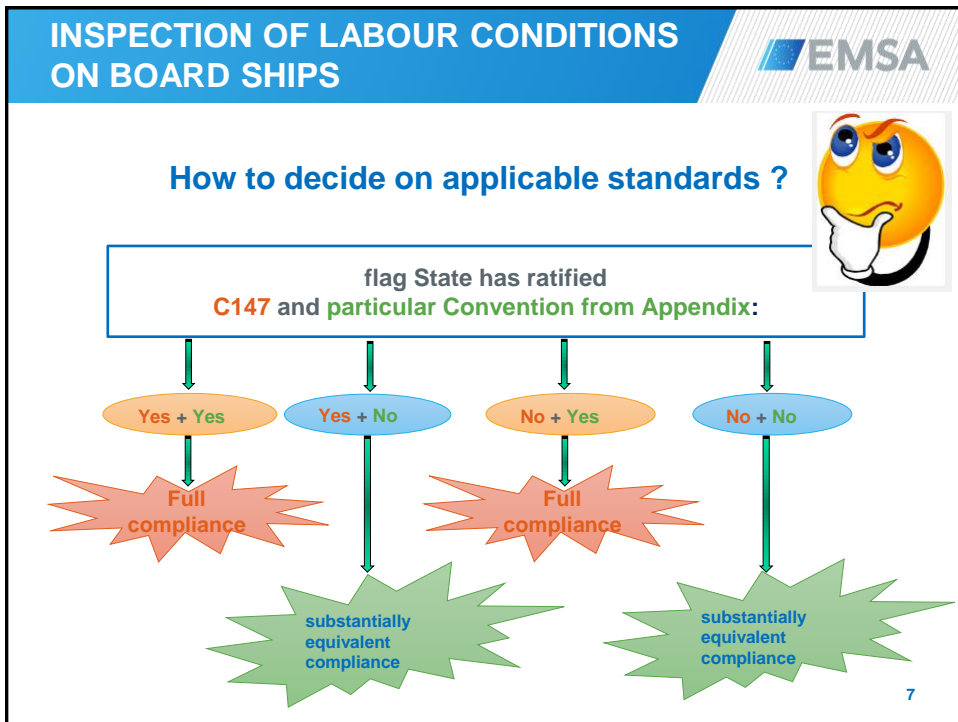
Seamen's Articles of Agreement Convention, 1920 (No. 22);


Repatriation of Seamen Convention, 1926 (No. 23);



Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);

Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

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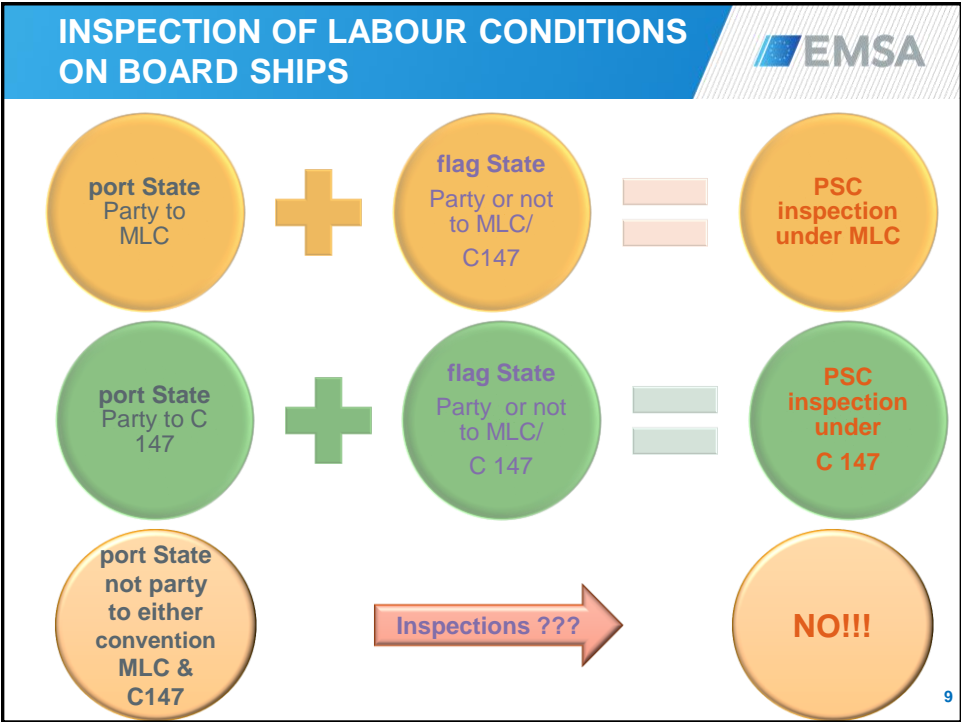


**INSPECTION OF LABOUR CONDITIONS ON BOARD SHIPS** 

**Maritime Labour Convention, 2006**  

- Relevant instrument under PSC - *since 20 August 2013*
- Purpose of the PSC inspection under MLC: *To determine compliance with the requirements of the Convention (14 areas of working & living conditions on ships, Appendix A5-III)*
- Maritime Labour Certificate (MLC) & Declaration of Maritime Labour Compliance (DMLC) – *prima facie* evidence for compliance
- Potential phases/stages of inspection:
  - Document review
  - More detailed inspection
  - Actions to be taken in case of deficiencies & non-conformities (*including detention*)

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**Thank you!**

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