

# Paris MoU approach towards the MLC 2006

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Paris MoU on Port State Control

**Paris MoU**



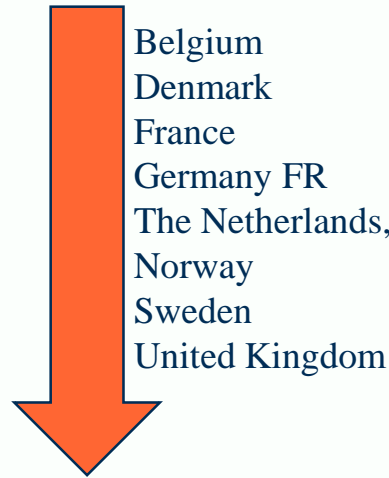
on Port State Control

# Background of Port State Control

- 1976 International Labour Conference maritime session ⇒ Adoption ILO Conv. 147



International  
Labour  
Organization



**The Hague Memorandum** (a.k.a. the North Sea Agreement on the Maintenance of Standards on Merchant Ships)

# Background of Port State Control

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AMOCO CADIZ  
16 March 1978

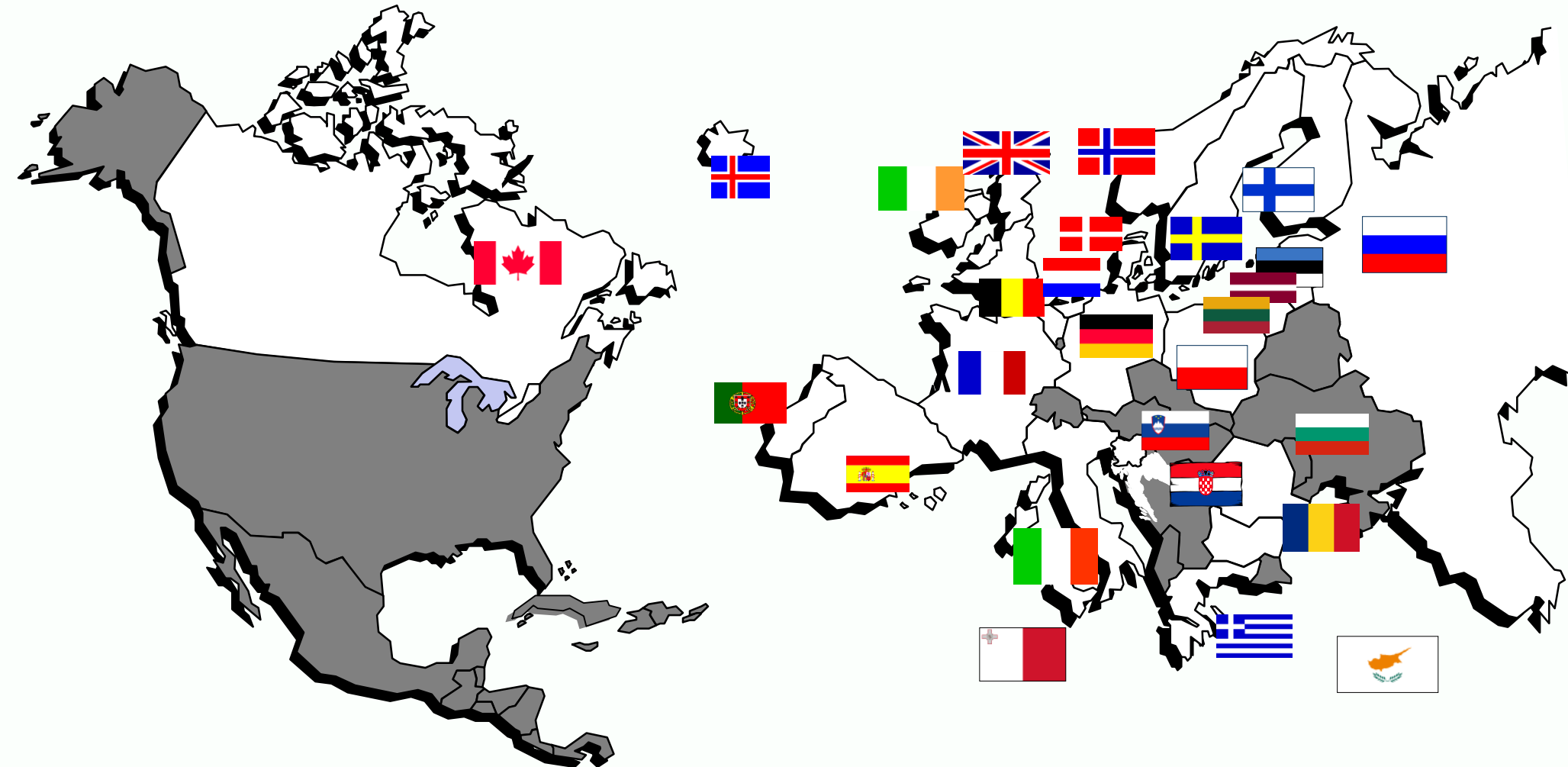


# Background of Port State Control

- Paris Memorandum of Understanding on PSC was signed on 26 January 1982 by the Ministers of 14 Maritime Authorities
- Belgium – Denmark – Finland – France – Germany – Greece – Ireland – Italy – Netherlands – Norway – Portugal – Spain – Sweden – United Kingdom
- PMoU-Secretariat provided by Netherlands
- Effective by 1 July 1982



# Regional scope Paris MoU



# What is Port State Control?

## ➤ Mission

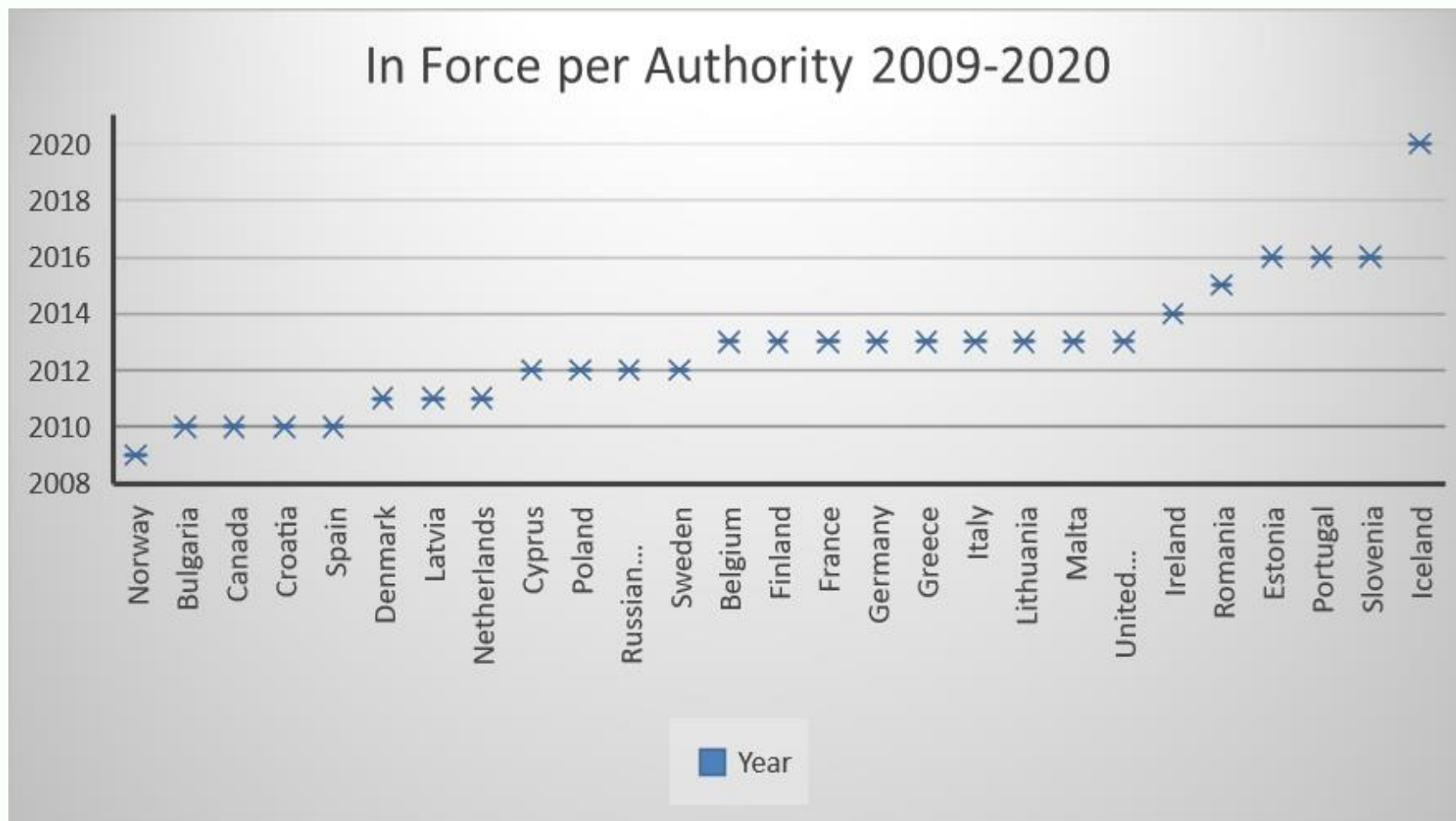
*The mission of the Paris MoU is to accomplish the elimination of substandard shipping by inspecting the ships in the region using a risk based methodology. This risk based inspection method ensures that the merchant ships in the region meet the international safety, security and environmental standards, and that crewmembers have adequate living and working conditions in compliance with the international maritime labour standards*



- Spot-check, no survey
- Harmonized system
- Enforcing compliance where others (e.g. owner and flag State) have failed in their responsibilities



# MLC 2006 - in force



# 2016 Concentrated Inspection Campaign



## Paris MOU: Launch of (CIC)

## Concentrated Inspection Campaign

### Objectives

- Improve maritime labour conditions at sea
- Verify compliance of ships with the new requirements of the MLC, 2006
- Enhance the overall knowledge of PSCOs in the Paris MoU region on this new Convention

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### Questionnaire for the Concentrated Inspection Campaign (CIC) on Maritime Labour Convention, 2006

Ship's name			
IMO Nr			
Date of inspection			

N°	QUESTIONS	YES	NO	N/A
1*	Are seafarers under the age of 18 excluded from tasks that are likely to jeopardize their safety or health? Standards A 1.1. para. 4 (def code 18101)			
2*	Are all seafarers holding valid certificate(s) attesting medical fitness? Standard A 1.2. para. 1 (def code 18103)			
3**	Have all seafarers successfully completed their training for personal safety on board? Regulation 1.3. para. 2 (def code 01219)			
4.1**	Do all seafarers have a copy of their seafarers' employment agreement? Standards A 2.1. para 1 (a) (def code 01220)			
4.2**	Are the seafarers' employment agreements in compliance with minimum standard required by MLC? Standards A 2.1. para 4 (def code 01220)			
5	If private recruitment and placement service has been used, does it meet the requirements of the MLC, 2006? Standard A 1.4. para. 2 and para 9 (def code 18104)			
6	Are records of inspections of seafarer accommodations carried out by the master (or another designated person) available for review? Standard A 3.1. para. 18 (def code 18328)			
7	Are frequent inspections carried out by or under the authority of the master, with respect to supplies of food and drinking water, all spaces and equipment used for the storage and handling of food and drinking water, and galley and other equipment for the preparation and service of meals documented? Standard A 3.2 para. 7 (def code 18320)			
8	Has a ships safety committee been established on board regarding ships on which there are five or more seafarers? Standard A 4.3. para. 2d (def code 18430)			
9*	For a ship not being required to carry a medical doctor, is there on board at least one seafarer, holder of a certificate of training in medical first aid or in medical care that meets the requirements of STCW? Standard A.4.1. para. 4c (def code 18404)			
10**	Are all seafarers provided with a copy of on-board complaint procedures applicable on the ship? Standard A 5.1.5 para.4 (def code 01330)			
11**	Have all seafarers received monthly accounts of their payments due and amounts paid? Standard A2.2. para. 2 (def code 18203)			
12	Was the ship detained as result of the CIC?			

Note: Questions 1 to 11 answered with a "NO" MUST be accompanied by a relevant deficiency on the Report of Inspection.  
If the box "No" is ticked off for questions marked with an "\*", the ship may be considered for detention.  
If the box "No" is ticked off for questions marked with an "\*\*", and if the deficiency found is repeated (occure more than 1 time), the ship may be considered for detention.



# 2016 Concentrated Inspection Campaign

N°	QUESTIONS	YES	NO	N/A
1 <sup>*</sup>	Are seafarers under the age of 18 excluded from tasks that are likely to jeopardize their safety or health? Standards A 1.1. para. 4 (def code 18101)			
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# 2016 Concentrated Inspection Campaign

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# 2016 Concentrated Inspection Campaign

- 3674 inspections
- 42 detentions (1.1 %)
  - Wages (23 detentions)
  - Seafarer's Employment Agreement (18 detentions)
  - On-board complaint procedure (13 detentions)
- Good standard of implementation (>95%)
- Recommendation
  - Contents of SEA



# Overview 2014-2019 (1/3)



Area	Subject	Deficiencies
	Certificates and documents	1270
1	Minimum age of seafarers	12
2	Medical certification of seafarers	1111
3	Qualifications of seafarers	108
4	Seafarers' employment agreements	3193
5	Recruitment and placement service	126
6	Hours of work or rest	5102
7	Manning levels for the ship	467
8	Accommodation	3837
9	On-board recreational facilities	132
10	Food and catering	7071
11	Health and safety and accident prevention	17165
12	On-board medical care	1391
13	On-board complaint procedures	915
14	Payment of wages	1119
15	Financial security for repatriation	248
16	Financial security relating to shipowners' liability	227
		43494

# MLC 2006 Port State responsibilities (1/2)

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## Regulation 5.2.1 (Inspections in port), paragraph 2:

*Each Member shall accept the maritime labour certificate and the declaration of maritime labour compliance required under Regulation 5.1.3 as prima facie evidence of compliance with the requirements of this Convention (including seafarers' rights). Accordingly, the inspection in its ports shall, except in the circumstances specified in the Code, be limited to a review of the certificate and declaration.*





# MLC 2006 Port State responsibilities (2/2)

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*Standard A5.2.1: Where an authorized officer, having come on board to carry out an inspection and requested, where applicable, the maritime labour certificate and the declaration of maritime labour compliance, finds that:*

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

*A more detailed inspection may be carried out.*

# Overview 2014-2019 (2/3)

TOP 10 RECORDED DEFICIENCIES			
Defective item	Deficiencies	Detainable deficiencies	Ships detained
Records of Seafarers' daily hours of work or rest	2806 (6.5%)	85	49
Seafarers' Employment Agreement	2602 (6.0%)	233	105
Electrical	2129 (4.9%)	71	33
Access / structural features	1615 (3.7%)	32	25
Cleanliness of engine room	1611 (3.7%)	125	74
Ropes and wires	1600 (3.7%)	26	10
Sanitary facilities	1510 (3.5%)	128	54
Cold room/cleanliness/temperature	1472 (3.4%)	34	17
Lighting (working spaces)	1210 (2.8%)	43	24
Protection machines/parts	1167 (2.7%)	15	7



# Overview 2014-2019 (3/3)

TOP 10 DETENTIONS			
Defective item	Deficiencies	Detainable deficiencies	Ships detained
Wages	711 (1,6%)	278	146
Seafarers' Employment Agreement	2602 (6.0%)	233	105
Manning specified by MSMD	467 (1.1%)	136	94
Sanitary facilities	1510 (3.5%)	128	54
Cleanliness of engine room	1611 (3.7%)	125	74
Calculation and payment of wages	386 (0,8%)	124	69
Records of Seafarers' daily hours of work or rest	2806 (6.5%)	85	49
Provisions quantity	687 (1.6%)	84	36
Electrical	2129 (4.9%)	71	33
Cleanliness	977 (2.2%)	61	24





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# QUESTIONS?

**Paris MoU**



on Port State Control