



Maritime Labour Convention: Crew accommodation for small vessels of less than 200GT that are ordinarily engaged in commercial activities

Notice to all vessel owners, operators and managers, seafarers, designers, builders and surveyors

This notice, together with MGN 600(M) replaces MGN 490(M) Amendment 1 MGN 600(M) covers MLC inspections for Coded vessels.

Summary

This note provides guidance on the crew accommodation standards agreed by the UK Tripartite Working Group on the Maritime Labour Convention, 2006 as a substantial equivalence to MLC Standard A3.1 for new UK vessels under 200GT.

Annex 1 to this MGN supersedes Chapter 21 of the MCA Codes for small commercial vessels and their equivalences (see Annex 2) in respect of the standards applying to new vessels.

N.B. The Workboat Code Industry Working Group Technical Standard of 2014, the Workboat Code Edition 2 and any subsequent editions include the standards from Annex 1 (referred to hereafter as “the substantially equivalent standards”).

It applies to new Coded vessels and other new seagoing vessels in commercial use.

New vessel means a vessel built after 7 August 2014 (see section 2) or any vessel for which there has not been a valid Code certificate in the last five years.

New vessels to which this MGN applies operating within 60 miles of a safe haven in the United Kingdom on domestic voyages, which are not required to be inspected for compliance with the Maritime Labour Convention, 2006 are nevertheless required to comply with the substantially equivalent standards.

Any voyage to or from a port outside the UK is not a domestic voyage.



1. Introduction

- 1.1 The Maritime Labour Convention, 2006 (MLC) came into force internationally on the 20 August 2013. The MLC consolidates and updates over 60 maritime labour instruments adopted by the International Labour Organization (ILO), introduces some new standards, as well as consolidating and updating existing requirements. The MLC applies standards for seafarer living and working conditions in respect of vessels which were not previously covered by international convention. The MLC provides a comprehensive set of global maritime standards for all seafarers on vessels to which the MLC applies.
- 1.2 Information on the application of the MLC to UK vessels, and the meaning of “seafarer”, and “shipowner” are in MGN 471(M). The application of UK MLC inspections to small vessels is in section 2 of MGN 600(M)
- 1.3 The MLC has been fully in force in international law for UK vessels since 7 August 2014, twelve months after the date on which the UK ratified the Convention. When a UK shipowner wishes to operate in a country other than the UK, it is their responsibility to ensure that they can demonstrate that their ship is compliant with the MLC.
- 1.4 Provision is made in the MLC for “substantial equivalence” where it is not practical to comply with the full MLC standards set out in part A of the MLC Code. Annex 1 to this MGN contains the UK’s substantially equivalent standards for crew accommodation on vessels under 200GT.

2. Application of this notice

- 2.1 This notice applies to vessels operating under the Codes and their equivalences listed at Annex 2 and other sea-going vessels under 200GT in commercial use, including yachts, workboats and tugs.
- 2.2 The substantially equivalent standards in Annex 1 apply to vessels the keel of which was laid on or after 7 August 2014 or for which there has not been a valid Code certificate in force in the last five years.
- 2.3 Vessels constructed of fibre reinforced plastic, or similar materials, will be considered to be at a similar stage of construction to having their keel laid if they have had more than 5% of the hull resin and reinforcement laid.
- 2.4 New vessels to which this MGN applies operating within 60 miles of a safe haven in the United Kingdom on domestic voyages, which are not required to be surveyed/inspected for compliance with the Maritime Labour Convention, 2006 are nevertheless required to comply with the substantially equivalent standards.

3. Substantially equivalent accommodation standards

- 3.1 MLC Standard A3.1.20 allows Members to exempt ships under 200GT from some crew accommodation requirements. This includes the requirements for air conditioning, minimum cabin sizes, wash basins in sleeping rooms and laundry facilities on-board. The UK has adopted these exemptions for ships under 200GT.
- 3.2 Article VI (3) of the MLC allows a Member State to implement through provisions in its laws and regulations or other measures which are substantially equivalent to the provisions of Part A of the MLC. The UK government has consulted shipowners and seafarer’s representatives and agreed standards for the accommodation on new vessels of less than 200GT which are considered to be substantially equivalent to MLC Standard A3.1 for such vessels.



- 3.3 These substantially equivalent standards are published as Annex 1 to this MGN and supersede, for new vessels, Chapter 21 of the MCA Codes. United Kingdom vessels to which paragraphs 2.2 or 2.3 of this notice applies must, in respect of crew accommodation, either fully comply with the requirements of Part 7 of the Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations, 2014 (S.I. 2014/1613) and MSN 1844(M) on crew accommodation, or the substantially equivalent standards published in Annex 1 to this guidance. 'Cherry-picking' of standards from each is not permitted because they each form a package of measures.
- 3.4 Existing vessels (those constructed before 7 August 2014) will not be required to comply with the accommodation standards in the MLC, or the substantially equivalent standard, subject to them complying with the applicable statutory standards at the time of their construction, unless they are substantially reconstructed or altered or undergo a major modification after that date.

4. Other MLC Standards

- 4.1 The MLC covers a wide range of standards for the protection and welfare of seafarers. Other than the requirements for crew accommodation, which are constrained by the physical size of the vessel, other requirements of the MLC apply as they would to all other ships.
- 4.2 A full list of the regulations and guidance implementing MLC standards into UK law is published in MGN 470(M).

5. Further information

- 5.1 For information about compliance with the statutory Codes:
- Vessel Policy Branch: codes@mcga.gov.uk 020 3817 2496
- 5.2 For information about the Maritime Labour Convention, 2006 and UK implementation:
- Seafarer Safety and Health Branch: mlc@mcga.gov.uk Tel: 020 3817 2498

More Information

Seafarer Safety and Health Branch
Maritime and Coastguard Agency
Bay 2/17
Spring Place
105 Commercial Road
Southampton
SO15 1EG

Tel : +44 (0) 203 817 2498
e-mail: mlc@mcga.gov.uk

Website Address: www.gov.uk/government/organisations/maritime-and-coastguard-agency



General Enquiries: infoline@mcga.gov.uk

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ACCOMMODATION AND RECREATIONAL FACILITIES – SUBSTANTIALLY EQUIVALENT STANDARDS – NEW VESSELS OF LESS THAN 200GT.

Objective: The aim of the MLC is to provide a comprehensive set of global maritime labour standards for all seafarers, including accommodation standards.

The purpose of this section is to implement substantially equivalent arrangements to the crew accommodation requirements of the Maritime Labour Convention, 2006, to new vessels built after the UK's Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers, etc.) Regulations 2013 come into force. Part 7 of those Regulations and Merchant Shipping Notice 1844(M) cover crew accommodation requirements for ships on which seafarers are required to sleep on board.

1. General

- 1.1 Accommodation shall provide decent living conditions and recreational facilities for those persons employed or engaged in any work capacity on-board. Due consideration shall be given to likely numbers of hotel and support staff on-board.
- 1.2 In order to provide decent living conditions and recreational facilities the following requirements are provided as minimum standards.
- 1.3 The materials used to construct internal bulkheads, panelling and sheeting, floors and joinings shall be suitable for the purpose and conducive to ensuring a healthy environment.
- 1.4 Excessive noise and vibration shall be limited within accommodation spaces, and as far as practicable in accordance with relevant international standards. Where the seafarers' exposure to noise and vibration is very time limited in accommodation spaces, alternative arrangements may be accepted.

N.B. See MGN 352 (M+F) on Noise and MGN 353 (M+F) on vibration, which give guidance on the health and safety regulations covering protection from noise and vibration at work.

2. Access/Escape Arrangements

- 2.1 Vessels under 24m load line length shall comply with the escape arrangements in the Small Commercial Vessel Code of Practice they are certified under.
- 2.2 Vessels in commercial use for sport or pleasure of 24m load line length or over shall comply with the escape arrangements in the Large Commercial Yacht Code (LY3).

N.B. See sections on Means of Escape in the Codes.

3. Headroom

- 3.1 There shall be adequate and reasonable headroom for all seafarers on-board taking into consideration the size and operation of vessel. Headroom provided should not result in discomfort to the seafarers on-board.
- 3.2 For spaces where seafarers are expected to stand for prolonged periods, the minimum headroom should be 190 centimetres. The competent authority may allow reduced height in some locations if it does not result in discomfort to seafarers.



4. Ventilation

- 4.1 Effective means of ventilation shall be provided to all enclosed spaces which are entered by personnel.
- 4.2 Mechanical ventilation shall be provided to all accommodation spaces on vessels which are intended to make voyages of 200 miles or more or operate in tropical waters. As a minimum, mechanical ventilation shall be capable of providing 6 changes of air per hour, when all access and other openings (other than ventilation intakes) to the spaces are closed.
- 4.3 Enclosed galleys are to be specially considered, and where air conditioning is not fitted shall have, as a minimum, a mechanical supply of 20 fresh air changes per hour and a mechanical exhaust of 30 changes.
- 4.4 In spaces where sanitary facilities are provided there shall be ventilation that draws from the accommodation and extracts to the open air independent of the other parts of the accommodation.

5. Heating and Insulation

- 5.1 All accommodation spaces shall be adequately heated, taking into account climatic conditions. The accommodation shall be adequately insulated.

6. Lighting

- 6.1 An electric lighting system shall be installed which is capable of supplying adequate light to all enclosed accommodation and working spaces.
- 6.2 Seafarer's sleeping rooms and mess rooms shall be lit by natural light and provided with adequate artificial light. Where the provision of natural light is impracticable, adequate artificial light may be acceptable in limited areas.

7. Water Services and Provision

- 7.1 Hot and cold running fresh water shall be available in all wash places.
- 7.2 An adequate supply of fresh drinking water shall be provided and piped to convenient positions throughout the accommodation spaces.
- 7.3 In addition, an emergency reserve supply of drinking water shall be carried, sufficient to provide at least 2 litres per person. The installation of fresh water making machines and disinfection arrangements are to be to the acceptance of the Administration (for this purpose silver ionisation or chlorination would be considered acceptable).

8. Galley Facilities and Provision of Food

- 8.1 Adequate food shall be provided for all seafarers on-board free of charge. The provision of food shall take account of the seafarers' religious requirements and cultural practices, the nature and duration of the voyage, and shall be suitable in respect of quantity, nutritional value, quality and variety.
- 8.2 The organisation and equipment of the catering department shall be such as to permit the provision to the seafarers of adequate, varied and nutritious meals prepared and served in hygienic conditions. This shall include as a minimum that the galley is fitted with a means of cooking and a sink and have adequate working surface for the preparation of food. The galley floor shall be provided with a non-slip surface and provide a good foothold.



- 8.3 All furniture and fittings in the galley shall be made of a material which is impervious to dirt and moisture. All metal parts of furniture and fittings shall be rust resistant.
- 8.4 The ventilation in the galley shall be arranged to ensure that there is an adequate supply of fresh air and for the efficient discharge of fumes into the open air (see also 4.4).
- 8.5 When a cooking appliance is gimballed it shall be protected by a crash bar or other means to prevent personal injury. Means shall be provided to lock the gimbaling mechanism.
- 8.6 Means shall be provided to allow the cook to be secured in position, with both hands free for working, when the vessel motions threaten safe working.
- 8.7 Secure and hygienic storage for food and garbage shall be provided.
- 8.8 A messing area(s) shall be provided; each messing area shall be large enough to accommodate the greatest number of persons likely to use it at any one time.

N.B. See also section 12 of this Annex on Mess Rooms.

9. Hand Holds and Grab Rails

- 9.1 There shall be sufficient hand holds and grab rails within the accommodation to allow safe movement around the accommodation at all times. Stairways shall be specially considered.

N.B. See also section 21.2 of the Codes.

10. Sleeping Accommodation

- 10.1 When sleeping accommodation on-board is required it shall be of adequate size and properly equipped so as to ensure reasonable comfort and to facilitate tidiness.
- 10.2 Wherever possible there shall be no direct access into sleeping rooms from spaces for machinery, galleys, storerooms, drying rooms, or communal sanitary areas. If seafarer sleeping rooms are situated next to any such space, the sleeping room and the other space shall have a bulkhead between them, with a door that may be locked.
- 10.3 In seafarer accommodation, wherever possible, the maximum number of persons per sleeping room is to be two. Any increase in the maximum number of persons per sleeping room shall be agreed with the Administration.
- 10.4 Sleeping accommodation shall be situated or equipped, as practicable, so as to provide appropriate levels of privacy for men and for women.
- 10.5 Berths for seafarers must have a minimum inside dimension of either:
- .1 not less than 190 centimetres by 70 centimetres, with no tapering, where it is satisfied that that this is reasonable and will not result in discomfort to the seafarers; or
 - .2 not less than 198 centimetres in length and not less than 80 centimetres in width over half the length of the berth. A taper is permitted from half the length of the berth towards the foot of the berth but under no circumstances is the berth permitted to be narrower at any point than 50 centimetres.
- 10.6 Where considered appropriate, means for preventing the occupants from falling out, shall be provided.



- 10.7 Except as permitted in 10.8, sleeping rooms shall be situated above the load line/freeboard mark amidships or aft (or the maximum loaded displacement where no load line/freeboard mark is provided), but in no case forward of the collision bulkhead.
- 10.8 Where it is not possible to provide sleeping accommodation above the load line/freeboard mark (or the maximum loaded displacement where no load line/freeboard mark is provided) as required by 10.7, there shall be an alarm fitted to provide early warning of flooding that alerts occupants of the sleeping accommodation and provides them with sufficient time to escape from the accommodation.
- 10.9 There shall be no mixed gender seafarer cabins, except where a mixed gender couple voluntarily opt to share a cabin. The seafarer cabins are to be designed and will only be approved as twin cabins, not as double cabins. There must not be any compulsion in any way whatsoever for seafarers of opposite gender to share a cabin.

11. Sanitary Facilities

- 11.1 There must be at least one set of sanitary facilities for each 6 seafarers on-board, separated from the rest of the accommodation. Each set of sanitary facilities shall include one shower or one tub, one wash basin and one toilet. Each set of sanitary facilities must be provided with a door that is lockable. Where reasonable and practicable there shall be separate sanitary facilities provided for men and for women.
- 11.2 In vessels where a sanitary system, including a holding tank, is provided, care shall be taken to ensure that there is no possibility of fumes from the tank finding their way back to a toilet, shall the water seal at the toilet be broken.

12. Mess Rooms

- 12.1 Mess rooms shall be of adequate size and comfort and properly furnished and equipped (including ongoing facilities for refreshment), taking account of the number of seafarers likely to use them at any one time. It may be that the mess will be a shared facility for seafarers and passengers; this shall be subject to agreement by the MCA or Certifying Authority, as appropriate.

13. Recreational Facilities

- 13.1 Appropriate seafarers' recreational facilities, amenities and services, as adapted to meet the special needs of seafarers who must live and work on-board, shall be provided.
- 13.2 All vessels shall have a space or spaces on open deck to which the seafarers can have safe access when off duty, which are of adequate area having regard to the size of the ship and the number of seafarers on-board, and are protected from the elements. Due consideration shall be given to any areas of deck which may be considered as posing a safety risk to seafarers. Such spaces may be shared with the passengers on-board.

14. Stowage Facilities for Personal Effects

- 14.1 Each seafarer shall be provided with adequate storage space for personal effects which must be a minimum of 125 litres per seafarer.



15. Machinery Space Boundaries

- 15.1 Where machinery spaces are adjacent to accommodation spaces, the boundaries shall be designed to be gas tight. The requirement to be gas-tight is taken to mean that bulkheads shall be so constructed as to prevent ingress of water and noxious gases into adjacent cabins as far as is reasonable and practicable to do so.
- 15.2 Machinery space boundaries must retain any liquids which may leak from the equipment within the machinery space.

16. Securing of Heavy Equipment

- 16.1 All heavy items of equipment such as ballast, batteries, cooking stove, etc, shall be securely fastened in place. All stowage lockers containing heavy items shall have lids or doors which are capable of being securely fastened.

17. Protection from Mosquitoes

- 17.1 Vessels regularly trading to and within mosquito infested ports shall be fitted with appropriate devices to protect seafarers from mosquitoes, as agreed by the MCA or Certifying Authority, as appropriate.

18. Master's Inspections

- 18.1 There shall be weekly documented inspections carried out on-board vessels, by or under the authority of the Master, with respect to:
- .1 supplies of food and drinking water;
 - .2 all spaces and equipment used for the storage and handling of food and drinking water;
 - .3 galley and other equipment used for the preparation and service of meals; and
 - .4 that seafarer accommodation is clean, decently habitable and maintained in a good state of repair.
- 18.2 The results of each inspection shall be recorded and made available for review.



List of relevant Codes and their equivalences

The Code of practice for the safety of small commercial motor vessels (the Blue Code)

The Code of practice for the safety of small commercial sailing vessels (the Yellow Code)

The Code of practice for the safety of small vessels in commercial use for sport or pleasure operating from a nominated departure point (the Red Code)

The Code of practice for the safety of small workboats and pilot boats (the Brown Code)

The Workboat Code Industry Working Group Technical Standard 2014

The Workboat Code Edition 2

Marine Guidance Note 280(M) Small vessels in commercial use for sport or pleasure, workboats or pilot boats – Alternative construction standards

