

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

*Flying the Flag of the
Federation Worldwide*



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

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**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
Maritime Registrar – one of the worldwide agency offices of SKANReg
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.skanregistry.com

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1. Introduction

Shipowners, managers, seafarers, and all other interested parties are advised to become familiar with the contents of this Maritime Circular, the MLC Regulations and MLC 2006, as amended.

SKN has implemented this through the Merchant Shipping (Maritime Labour Convention, 2006) Regulations 2013, as amended in 2023.

This Circular incorporates the latest requirements stemming from the ILO MLC 2006 amendments, including those adopted in 2022 that entered into force on December 23, 2024.

If you have any doubt or questions about the application of a particular part of MLC 2006, please do not hesitate to contact St. Kitts & Nevis International Ship Registry at enquiries@SKANRegistry.com

2. Application

2.1 Ships

2.1.1 A 'ship' and 'small ship' shall be as defined within the Merchant Shipping Act, namely:

"ship" includes every description of vessel used in navigation; and

"small ship" means a ship less than twenty-four metres in length;

and as within MLC 2006, namely;

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

In the event of doubt as to whether the MLC Regulations apply to a ship or a particular category of ships, the question will be determined by the Director in conjunction with the Registrar, after consultation with the concerned shipowners' and seafarers' organisations, as necessary.

2.1.2 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.
- e) Pleasure vessels

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

2.1.4 The Director in conjunction with the Registrar 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.

2.1.5 In the case of ships constructed before 20th August 2013, called in this Maritime Circular 'existing ships', the requirements relating to ship construction and equipment that are set out in the Accommodation of Crews Convention (Revised) 1949 (No 92) and the Accommodation of Crews (Supplementary Provisions) Convention 1970 (No 133) shall continue to apply to the extent that those Conventions were applicable under St Kitts & Nevis law and practice prior to 20th August 2013; (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). As neither of the above two Conventions was implemented by St. Kitts & Nevis, 'existing ships' are usually allowed to continue to operate, subject to compliance with the ILO Guidelines.

However, SKANReg should be contacted in the event that a ship does not, for reasons associated with its construction and equipment, comply with either of the above Conventions.

2.2 Ships under 200GT

The Director in conjunction with the Registrar 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) A Seaman and Seafarer shall be as defined within the Merchant Shipping Act and the MLC Regulations, namely:

In the Act;

“seaman” includes every person (except masters and pilots) employed or engaged in any capacity on board any ship; and

In the MLC Regulations;

“Seafarer” has the same meaning as “seaman” in the Merchant Shipping Act and for the purposes of these regulations includes the “Master” of any ship to which these Regulations apply.

- c) Therefore for the purposes of MLC 2006, the Master of a ship is considered to be a seafarer.
- d) In addition, in accordance with Resolution VII adopted on 22 February 2006 by the 94th (Maritime) Session of the International Labour Conference, held in Geneva, “seafarer” means everyone working on-board including cadets, 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 – which is not an exhaustive list - 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, cargo superintendents and 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.

2.3.4 In line with the MLC 2006, 2025 amendments, seafarers should be recognized as key workers to facilitate their safe and timely movement for travel, including crew changes, repatriation, shore leave, and access to medical care. Furthermore, Flag and Port States are mandated to ensure non-discriminatory access to shore leave for all seafarers, and public authorities cannot refuse shore leave for reasons of public health, public safety, or public order unless written reasons are provided.

3. Guidance on definition of Shipowner & other management functions for a ship

- 3.1 MLC 2006 aims to ensure that seafarers only have to look to one entity as the shipowner.
- 3.2 “Owner” and “Shipowner” shall be as defined within the Merchant Shipping Act and the MLC Regulations, namely:
- In the Act:
“owner”, in relation to a ship, or “shipowner” means, in respect of a registered ship, the registered owner and includes a bareboat charterer and a managing owner or managing agent; and
- In the MLC Regulations:
“Shipowner” means the owner of the ship or another organisation or person, such as the manager, agent or bareboat charterer, who has assumed 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 the Convention, regardless of whether any other organisations or persons fulfill certain of the duties or responsibilities on behalf of the shipowner.
- 3.3 A registered owner may assume the duties and responsibilities imposed on shipowners in accordance with MLC 2006 OR contract with an organization to assume those duties and responsibilities, whether or not they (the registered owner) also assign other functions of the management of the ship e.g. technical or ISM, etc., to another organisation. In this way it can be seen that the registered shipowner may have multiple organisations dealing with the overall management of the ship, but still only one entity with the responsibility for MLC 2006.
- 3.4 SKANReg issue the DMLC Part I for the vessel on the basis of the shipowners details that are to be stated in the Part II. The shipowner in this case should ALWAYS be the organization that has agreed to take over the duties and responsibilities imposed on shipowners in accordance with the Convention,
- 3.5 In the case where a registered owner has multiple organisations dealing with management functions of the ship, these should be clearly defined within written agreements and SKANReg may require to see English language copies of the contracts with all organisations to satisfy themselves that one organisation has correctly assumed the duties and responsibilities imposed on shipowners in accordance with MLC 2006.

4. Exemptions & Substantial Equivalencies and other deviations from the provisions of MLC 2006

- 4.1 The MLC 2006 allows very limited options for granting an exemption from its provisions.
- 4.2 Generally, these may only be agreed in consultation with the concerned organizations or agreed through the Special Tripartite Committee at the ILO.
- 4.3 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.**
- 4.4 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 are subject to protecting the seafarers’ health and safety.
- 4.5 It is recognised by SKN that due to their trade, operational area, type or a combination of all or parts of these factors, some existing ships may not be able to fully comply with some provisions of MLC 2006. Examples of these may be:
- Ships that only operate during daylight hours and those that may have no accommodation, e.g. crew boats; day-trip tourist boats; ferries in special trades;
 - Ships that operate within an area close to shore and a port of refuge, but outside of what is considered to be ‘sheltered waters’;
 - Manned non-propelled vessels, e.g. barges, which have cranes or other machinery.

SKN considers that these ships need to be certificated in accordance with MLC 2006 and owners of these ships should approach their RO and/or SKANReg to discuss the options and requirements for compliance and/or the granting of exemptions.

- 4.6 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 450 (incl. Admin. fee) per hour or part thereof, may be charged for assessing a request for an exemption. Requests for exemptions should contain clearly justifiable reasons with a strong grounding and are subject to protecting the seafarers' health and safety.

5. Recognised Organisations and Inspectors

- 5.1 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 SA (BV)
Capital Register of Shipping (CRS)
China Classification Society (CCS)
DNV
Dromon Bureau of Shipping
Eastern Marine Service Co., Ltd (Class EM)
Emirates Classification Society TASNEEF (TASNEEF)
Indian Register of Shipping (IR Class)
International Naval Surveys Bureau (INSB Class)
International Register of Shipping (INTLREG)
Isthmus Bureau of Shipping (Class IBS)
Korean Register (KR)
Lloyds Register (LR)
Nippon Kaiji Kyokai (Class NK)
Phoenix Register of Shipping S.A.
Polski Rejestr Statków S.A. (PRS)
Qualitas Register of Shipping
RINA Services S.P.A. (RINA)
Turk Loydu (TL)
Union Bureau of Shipping (UBS)
Veritas Register of Shipping Ltd (VRS Class)

- 5.2 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.

- 5.3 SKN will allow an owner to engage an RO from the above list who has not issued the other statutory certificates for a ship, to carry-out the surveys for MLC and issue the MLC Certificate, i.e. If RO *A* has issued the statutory certificates, RO *B* may still survey the ship and issue the MLC Certificate.
- 5.4 At the present time, 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.

6. Inspection and Certification

6.1 General Requirements

6.1.1 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, "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

6.1.2 It is not mandatory for a vessel of less than 500GT to have a ML Certificate onboard. This certificate can be issued on a voluntary basis if requested. However, SKN **STRONGLY RECOMMENDS** that shipowners 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 onboard for submission to a PSC Officer, as necessary.

6.1.3 SKN **STRONGLY RECOMMENDS** to shipowners to apply for MLC 2006 certification as soon as possible. Ships should be in possession of a MLC Certificate by 20th August 2014.

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

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

6.1.7 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.

6.1.8 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.

6.2 Procedure for Shipowners to obtain MLC 2006 Certification (Initial Inspection)

Note: For the purposes of the guidance in this section, shipowner has the meaning as defined within MLC 2006, i.e. it is the organisation that has agreed to take over the duties and responsibilities imposed on shipowners in accordance with the Convention.

6.2.1 Shipowners should conduct a gap analysis of the ship and Company policy against the SKN MLC Regulations (including the DMLC Part 1).

- 6.2.2 Any areas of concern raised from the gap analysis should be discussed with the relevant RO.
- 6.2.3 Shipowners 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.
- 6.2.4 Shipowners 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.**
- 6.2.5 An additional fee may be required for the review of any requested exemption or equivalency.
- 6.2.6 A ship's 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/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 Section 4 above - Exemptions). The emailed document is to be printed on plain white paper for use onboard.
- 6.2.7 Following a revision of the DMLC Part I template, SKANReg requires that all existing DMLC Part I be renewed at the time of MLC Renewal Survey/Audit. Please refer to Maritime Circular MC 130 24.
- 6.2.8 In order to prepare the vessel for an initial MLC 2006 inspection, the shipowner 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.
- 6.2.9 DMLC Part II prepared by the shipowner should be submitted together with the ship's specific DMLC Part I to the RO for review and acceptance of DMLC Part II.
- 6.2.10 Upon review of both DMLC Part I and DMLC Part II and acceptance of DMLC Part II, the ships' initial MLC 2006 inspection should be agreed with the RO.
- 6.2.11 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 and approved by the RO) should be kept on board together with the Short Term ML Certificate (issued by the RO).
- 6.2.12 The RO should forward a copy of the Short Term ML Certificate, DMLC Part II and inspection report to SKANReg.
- 6.2.13 Shipowners 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.

6.3 Procedure for Shipowners to obtain Interim ML Certificate

- 6.3.1 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.
- 6.3.2 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.**
- 6.3.3 The shipowner should follow the procedures 6.2.1 to 6.2.6 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.

- 6.3.4 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.**
- 6.3.5 The RO should forward a copy of the Interim ML Certificate and inspection report/inspection log to SKANReg.
- 6.3.6 Shipowners should apply to the RO for the issue of a Full-Term ML Certificate.

6.4 Intermediate Inspection and Endorsement of the ML Certificate

- 6.4.1 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.
- 6.4.3 The ML Certificate should be endorsed by the RO, following a satisfactory intermediate inspection.
- 6.4.4 The RO should forward a copy of the Endorsed ML Certificate and inspection report/ to SKANReg.
- 6.4.5 The ML Certificate will cease to be valid if the intermediate inspection is not carried out as required.

6.5 Renewal Inspection and Renewal of the ML Certificate

- 6.5.1 All national requirements (as per the initial inspection) implementing MLC 2006 need to be verified during a ML Certificate's renewal inspection.
- 6.5.2 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.
- 6.5.3 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.
- 6.5.4 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.
- 6.5.5 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.
- 6.5.6 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.
- 6.5.7 Following a revision of the DMLC Part I template, SKANReg requires that all existing DMLC Part I be of the renewed format at the time of MLC Renewal Survey/Audit. Please refer to Maritime Circular MC 130 24.

NOTE TO RO's: Where details of the MLC Certificates or an electronic version of the MLC Certificates mentioned at 6.2.11, 6.2.12, 6.3.6, 6.3.5 and 6.4.4 are available on the RO's website, the requirement to send a 'hard copy' to SKANReg is not necessary.

6.6 Cessation (Invalidation) of Certificates

6.6.1 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.

6.6.2 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.

6.7 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
The Old Courthouse
Orsett Road
Grays, RM17 5DD
United Kingdom

Email: www.skanregistry.com
Tel: +44 1708 380400

6.8 Change of Class

Please refer to the separate Maritime Circular *MC 54 13 (Rev.1)* on this subject, which follows the IACS Procedural Requirement PR36 Rev.1 (December 2024). We acknowledge, with thanks, IACS' agreement to use this.

Furthermore, Classification Societies/Recognised Organisations shall refer to the RO Code (MSC Resolution MSC.349(92), paragraph 3.9.3.4 for transfer of certification.

6.9 Accommodations and Onboard Recreational Facilities

6.9.1 New Ships

The requirements which relate to ship construction and equipment apply only to ships constructed on or after the date when the Convention came 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 A 3.1 and Part B 3.1.11 of MLC 2006.

“Standard A 3.1: Appropriate seafarers’ recreational facilities, amenities, and services, including social connectivity, as adapted to meet special needs of seafarers who must live and

work on ships, shall be provided on board for the benefit of all seafarers, taking into account Regulation 4.3 and the associated Code provisions on health and safety protection and accident prevention.”

“Guideline B 3.1.11: *Recreational facilities, mail and ship visit arrangements* reasonable access to ship-to-shore telephone communications, where available, with any charges for the use of these services being reasonable in amount.

Ship owners should, so far as is reasonably practicable, provide seafarers on board their ships with internet access, with charges, if any, being reasonable in amount.

6.9.2 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). As neither of the above two Conventions was implemented by St. Kitts & Nevis, ‘existing ships’ are usually allowed to continue to operate, subject to compliance with the ILO Guidelines. However, SKANReg should be contacted in the event that a ship does not, for reasons associated with its construction and equipment, comply with either of the above Conventions.
- 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 6.9.2 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.

7. On board Complaint Procedures

- 7.1 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.
- 7.2 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 7.8); and,

- d) The contact details of the Competent Authority (Article II – 1 (a)) in the seafarer's country of residence.
- 7.3 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.
- 7.4 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.
- 7.5 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.
- 7.6 SKN's point of contact for receipt and resolution of seafarer complaints (paragraph 7.2.c) is the office of the Registrar:

St. Kitts & Nevis International Ship Registry
The Old Courthouse
Orsett Road
Grays, RM17 5DD
United Kingdom

Email: www.skanregistry.com
Tel: +44 1708 380400

8. Financial Security

- 8.1 Shipowners are required to arrange financial security, arising under the MLC 2006 as follows:
 - a) Repatriation of seafarers (Standard A2.5);
 - b) Seafarer's compensation for the ship's loss or foundering (Standard A2.6), and
 - c) Shipowners' liability (Standard A4.2).
- 8.2 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 8.5)

- 8.3. 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.
- 8.4. 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.
- 8.5. 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 if they wish to be placed on the list of accepted organisations.
- 8.6. P&I Clubs found to be in breach of their obligations under the requirements of the 2.5 and 4.2 standards may have their approval revoked.

9. Seafarer Recruitment and Placement Services (Crewing Agents/Agencies) – 'Services'

- 9.1 Shipowners should, as far as possible, only use Services that are in countries that have ratified MLC 2006.
 - 9.1.1 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.
- 9.2 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.
- 9.3 Services should pay particular attention to the requirements under which they should operate according to MLC 2006 (Standard A1.4) and the MLC Regulations.
- 9.4 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 7.8.

Director of Maritime Affairs
Ministry of International Transport
P.O.Box 878
Pelican Mall
Basseterre, St. Kitts, W.I
Tel: +1869 467 1848
E-mail: maritimeaffairsskn@gov.kn

10. Cooks, Food and Catering

- 10.1 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.
- 10.2 For a prescribed manning of less than 10, this requirement may be waived if there is a suitable alternative arrangement.
- 10.3 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 Ships' Cooks Convention, 1946 (No. 69), or other approved body; and
 - 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.
- 10.4 Cooks serving onboard SKN ships are required 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. Cook, in accordance with MLC Regulation 3.2, Rule A3.2, should apply to SKANReg or a Maritime Registrar for this certificate using Application Form A15 available on the website.
- 10.5 Shipowners should pay attention to the ILO "Guidelines on the training of ships' cooks", which was adopted at the March 2014 Session of the ILO Governing Council and its publication can be found following the hyperlink:
- <https://www.ilo.org/resource/other/guidelines-training-ships-cooks>
- 10.6 The issue of water on ships is naturally of considerable interest. Reference should be made to the documents, publication and guidelines contained therein, published by the World Health Organization (WHO), who are continually updating their information and guidelines. Reference should be made to their website www.who.int and at the time of publication of this Maritime Circular the hyperlink is as follows:
- <https://www.who.int/publications/i/item/9789241546690>

Shipowners must ensure adequate supplies of food and **drinking water of suitable quality** shall be on board, considering the number of seafarers on board, religious requirements, and cultural practices, and shall be provided **free of charge** during the period of engagement. Ships should test water as recommended by the WHO Guide and keep full records of such testing.

11. Health Protection & Medical Care

- 11.1 Shipowners shall adopt measures to provide for health protection and medical care including dental care for seafarers.
- 11.2 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.
- 11.3 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.
- 11.4 Ships carrying more than 100 persons engaged on international voyages shall carry a doctor.
- 11.5 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. Medical training should also reflect the contents of the **International Medical Guide for Seafarers and Fishers (First Edition - Published 2023)**.
- 11.6 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.

- 11.7 Attention is also brought to Maritime Circular MC 122 23 concerning the acceptance of this Administration the use of the Mariners Medico Guide App as an equivalent to the International Medical Guide for Ships (IMGS) published by the World Health Organization (WHO).

12. Hours of Work and Hours of Rest

- 12.1. The normal working hours standard for seafarers, like that for other workers, is based on an eight-hour day with one day of rest per week and rest on public holidays
- 12.2. The minimum hours of rest shall be ten hours in any 24-hour period and 77 hours in any seven-day period.
- 12.3 A table with the shipboard working arrangements shall be posted on-board and the table shall contain for every position:
- (a) the schedule of service at sea and in port; and
 - (b) the minimum hours of rest required
 - (c) the table shall be in a form approved by the Director.
- 12.4 There shall be a record of seafarer's daily hours of work and of their daily hours of rest in accordance with the form approved by the Director.
- 12.5 The forms mentioned above are available on the website. In the event that a shipowner wishes to use company generic forms that they already use in their ships, this is permissible after the forms have been submitted to the Registrar for approval.

13. Yachts

- 13.1 MLC 2006 applies to every ship that flies the flag of SKN, whether publicly or privately owned, ordinarily engaged in commercial activity.
- 13.2 Commercial yachts, regardless of tonnage, are considered ships for the purpose of applying the requirements of MLC 2006.
- 13.3 Pleasure vessels (Private yachts), as defined within the Merchant Shipping Act, of any size, not ordinarily engaged in commercial activities such as chartering, are not considered ships under the MLC 2006. However, if the owner of a Pleasure Vessel wishes to charter-out the yacht for commercial gain, then the provisions of MLC 2006 will apply.

14. Erratum

- 14.1 On page 36 of the Merchant Shipping (Maritime Labour Convention, 2006) Regulations 2013 the reference to sub-regulation 20(3) is incorrect and should read sub-regulation 19 (8). The correct reference should be as follows:

19. Health and safety protection and accident prevention

(9) With respect to young seafarers referred to under sub-regulation 19 (8), except where they are recognized as fully qualified in a pertinent skill by the Director, the measures referred to in sub-regulation 19 (8) shall specify restrictions on young seafarers undertaking, without appropriate supervision and instruction, certain types of work presenting special risk of accident or of detrimental effect on their health or physical development, or requiring a particular degree of maturity, experience or skill. Etc.

- 14.2 On page 55 of Merchant Shipping (Maritime Labour Convention, 2006) Regulations 2013 under section "10. Food and catering", the regulation 6 is referenced. The correct reference should be regulation 16 as follows:

10. Food and Catering (regulation 3.20)

Regulation 16 of Merchant Shipping (Maritime Labour Convention, 2006) Regulations 2013

15. Documents available on website referring to MLC 2006

- 1) Maritime Circular MC/51/13 (Rev 3) – Procedures for MLC Certification
- 2) Text of Maritime Labour Convention, 2006
- 3) Resolutions of ILO-ILC 94th Session
- 4) ILO FAQ's
- 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, 2006'
- 12) ILO 'Guidelines for Port State Control Officers carrying out inspections under MLC 2006'
- 13) Checklist for accommodation of existing ships
- 14) Table of Shipboard Working Arrangements
- 15) Form for Records of Hours of Rest
- 16) Ship Master's Report Form for Medical Information
- 17) Model onboard Complaint handling procedures
- 18) WHO Medical Guide for Ships, 3rd Edition
- 19) Maritime Declaration of Health
- 20) WHO International Health Regulations, Guide to Ship Sanitation, 3rd Edition
- 21) ILO Guidelines on the training of ships' cooks – document reference MESC/2013/9
- 22) Maritime Circular MC/53/13-MLC Requirements for P+I Clubs & Insurers
- 23) Maritime Circular MC/54/13-MLC Procedure When Change of Class
- 24) List of Approved P&I Clubs for MLC Insurance Policies
- 25) Document for Guidance, 1985 - Training Guide

Version Control

VERSION NUMBER	DATE AMENDED	AMENDMENTS
Rev.4	22/10/2025	Text revision, change to the Registry's address, list of authorized Recognised Organisations, incorporation of MLC 2022 amendments, exemption fee rate.