



MARITIME LABOUR CONVENTION, 2006 (MLC, 2006)

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INTERNATIONAL REGISTRIES, INC.











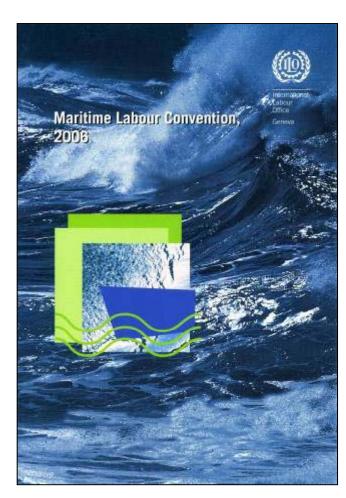






MLC, 2006 RATIFICATION

- Marshall Islands became a member of ILO in 2007
- Ratified MLC, 2006 in 2007
- Tonnage requirements have been met (33%)
- 11 ratifications (30 required)
- Anticipated to enter into force 2012
- Marshall Islands has amended Maritime Act and Regulations











DEFINITION OF A SEAFARER

Article II, 1 (f): "seafarer means any person who is employed or engaged or works in any capacity on board a ship to which this Convention applies."



THE MARSHALL ISLANDS YACHT REGISTRY







DEFINITION OF A SHIP

Article II, 1(i): "ship means a ship other than one which navigates exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas where port regulations apply."

Article II, 4: "this Convention applies to all ships whether publicly or privately owned, ordinarily engaged in commercial activities, other than ships engaged in fishing or in similar pursuits and ships of traditional build such as dhows and junks."











ILO PREPARATORY TRIPARTITE MEETING COMMON ISSUES OF CONCERN

- Definition of "ordinarily engaged"
- Application of Title 3 accommodation requirements to large, commercial yachts
- Application of the provisions in Standard A3.1 relating to construction
- Concern that structured design features not taken into consideration during MLC, 2006 development / debate
- Yachts are analogous to fishing vessels and require special consideration as MLC, 2006, minimum floor areas are not viable









ILO PREPARATORY TRIPARTITE MEETING POTENTIAL SOLUTIONS

- Delegates agreed most issues on yachts could be addressed through MLC, 2006 existing definitions and flexibility allowed through substantial equivalence
- Accommodation issues as it applies to commercial yachts might need a future amendment to MLC, 2006 to achieve uniform approach
- Delegates agreed "ordinarily engaged" best defined at national level
 - ILO Letter Yacht Brokers International, 27 August 2008
 - ILO Speech Antibes Yacht Show 2010









MLC, 2006 – WHAT IS CHANGING?





FOR MARSHALL ISLANDS YACHT OWNERS AND MANAGERS – NOT VERY MUCH









MARSHALL ISLANDS POSITION ON APPLICATION OF MLC, 2006 TO YACHTS

- A Marshall Islands registered
 Pleasure Yacht must be engaged
 in commercial activities for 183
 days or more in a calendar year.
- Crew/Seafarers onboard Yachts under 183 days are protected by RMI National Law – the MLC, 2006 safety/social provisions.
- Tripartite consultation required.



THE MARSHALL ISLANDS YACHT REGISTRY







MARSHALL ISLANDS POSITION ON APPLICATION OF MLC, 2006 TO YACHTS (continued)

- Engaged in commercial activity for 183 days or more in a calendar year
- **200-500 GT**
 - Single berth cabin with a total floor area of 4.5m², including en-suite sanitary facilities
 - Officers' common room, allowing for 1.5m² per officer

- 500-1000 GT
 - Officers' cabins 6.5m²
 including en-suite facilities
 and officers' common room
- 1000-1250 GT
 - Officers' cabins 7.5m²
 including en-suite facilities
 and officers' common room
- Yachts over 1250 GT are subject to full MLC, 2006 compliance









MARSHALL ISLANDS YACHT REGISTRY

- All Marshall Islands registered yachts to be called "Pleasure Yachts"
- Marshall Islands Yacht Service Designations
 - Private
 - Private charter
 - Commercial charter
- Revised Documents of Compliance (<500gt)
- Revised Statement of Compliance (>500gt)
- "...that the yacht complies with the requirements set forth in the Marshall Islands Maritime Act & Regulations which are in accord with the MLC, 2006 as reasonably and practically as possible."









THANK YOU



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