



MARITIME LABOUR CONVENTION: Substantially equivalent accommodation standards for Large Commercial Yachts of 3000GT to less than 5000GT

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

Summary

This note provides guidance on the application of the accommodation standards within Title 3 of the Maritime Labour Convention, 2006, to Large Commercial Yachts, certified under the Large Commercial Yacht Code (LY3).

1. Introduction

- 1.1 The Maritime Labour Convention, 2006 (MLC) came into force internationally on the 20 August 2013. The UK government, in co-operation with its social partners, agreed substantially equivalent accommodation standards for Large Commercial Yachts certified under The Large Commercial Yacht Code (LY3).
- 1.2 Following the publication of LY3, which permitted vessels of 3000GT and over to be built under the Code for the first time, designers and builders raised concerns that strict compliance with the LY3 standards may not create the best sleeping accommodation standards for seafarers on yachts of that size.

2. Consultation

- 2.1 As a result, the UK Government consulted with its social partners on substantially equivalent accommodation standards for yachts of 3000GT to less than 5000GT. Following consultation, the UK Government agreed to accept the alternative arrangements in Annex 1 for seafarers' sleeping accommodation on large commercial yachts of 3000GT to less than 5000GT.



3. Substantially equivalent standards

3.1 Article VI(3) of the MLC allows a Member State to implement through provisions in its laws and regulations or other measures, standards which are substantially equivalent to the provisions of Part A of the MLC.

3.2 LY3 21B.8.5 requires yachts of 3000GT or more, constructed on or after the date the MLC enters into force to comply fully with the requirements of standard A3.1 of the MLC. The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998, SI 1998/2771, regulation 6, permits the Secretary of State to accept the substantially equivalent arrangements. This Marine Guidance Note provides formal acceptance by the Secretary of State that the substantially equivalent standards published in Annex 1 to this note may be used in place of the standards in MLC A3.1.8, A3.1.9 (a), (b) and (f), and A3.1.11(a).

3.3 The substantially equivalent standards represent a package of measures that are only acceptable if used in their entirety. 'Cherry-picking' is not permitted.

More Information

Seafarer Safety and Health Branch
Maritime and Coastguard Agency
Bay 1/29
Spring Place
105 Commercial Road
Southampton
SO15 1EG

Tel : +44 (0) 23 8032 9328
Fax : +44 (0) 23 8032 9251
e-mail: mlc@mcga.gov.uk

General Inquiries: infoline@mcga.gov.uk

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

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Annex 1 – Substantially equivalent sleeping accommodation standards for Large Commercial Yachts of 3000GT to less than 5000GT.

1. All seafarers who are officers shall have their own cabin.
2. No more than two seafarers not performing the duties of officers may be accommodated per cabin, in a twin cabin arrangement.
3. Vessels shall be designed and crewed in such a way that cabins can be allocated by gender – i.e. there shall be no mixed gender cabins. This does not prevent a mixed gender couple voluntarily sharing a cabin in operation. 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 different genders to share a cabin.
4. There shall be a minimum cabin size for seafarers who are not performing the duties of officers who are provided with a twin cabin. Based on the MLC requirement for vessels of 3000GT or over for 5.5 square metres of floor area per seafarer, the minimum floor area for such a cabin shall be no less than 11 square metres.
5. Each seafarer berth in a twin cabin shall be arranged longitudinally, i.e., so that it is a 'fore and aft' bunk. Bunks arranged athwartships shall not be permitted in twin cabins.
6. Each twin cabin shall be provided with en suite sanitary facilities. Each set of en suite sanitary facilities shall meet the minimum requirements set out in the MLC for sanitary facilities, i.e. that they provide a WC, a basin and a shower or a tub. The floor area for en suite sanitary facilities may be incorporated within the minimum 11 square metres floor area for each twin cabin.
7. Each cabin shall be lit by natural light and shall be provided with artificial light. There shall be a minimum of one window providing natural light per cabin.

These provisions provide an equivalent arrangement to MLC standards, A3.1.8, A3.1.9(a),(b) and (f), and A3.1.11(a).

