

MGN 264 (M)

Medical Fitness Requirements for Those Employed on Boats Certificated under MCA Codes of Practice, Crew of Seagoing Local Passenger Vessels and Non-seagoing Boatmasters

Notice to owners, operators, skippers of commercial yachts, and seagoing local passenger vessels, to non-seagoing boatmasters and skippers and others working on small commercial vessels.

This Note should be read in conjunction with Merchant Shipping Notices MSN 1765(M), MSN 1776(M), and MSN 1777(M). The Note replaces the medical fitness requirements of the MCA Codes of Practice for Small Commercial Vessels and for Large Yachts, and paragraph 6 of Merchant Shipping Notice M1525 for Boatmaster's Licence holders.

Summary

This guidance note explains the requirements for evidence of medical fitness for:

- those working on vessels operating under MCA Codes of Practice for small seagoing commercial vessels
- those working on vessels operating under the MCA Code of Practice for large commercial sailing and motor vessels
- crew of seagoing local passenger vessels - defined as anyone working on the boat who is essential to safe manning and has safety critical responsibilities
- boatmasters on non - seagoing local passenger vessels

It introduces a revised ML5 form from **1 March 2004**, which will include a new **ML5 certificate**.

1.0 Background

1.1 With effect from 1 September 2002, the UK implemented the medical certification requirements of the EC Maritime Working Time Directive, by introducing the Merchant Shipping (Medical Examination) Regulations 2002. The Regulations apply to any seafarer (defined as anyone employed or engaged in any capacity) on board a seagoing ship, on the business of the ship. This is taken to mean those whose usual place of work is on board the ship, and not those whose usual place of work is ashore but who are working on a seagoing ship on

a temporary or short-term basis, and who do not have safety-critical responsibilities. A seagoing vessel is defined as one certificated for seagoing service, and ordinarily engaged in commercial maritime operations, taken to include the carrying of cargo or passengers. This includes Code vessels ie boats operating under MCA Codes of Practice for small commercial vessels (due to be harmonised into one Small Commercial Vessel Code during 2004) and for large yachts and seagoing local passenger vessels. Those who work on board these vessels are accordingly covered by the requirement

for a valid **certificate** confirming their medical fitness for the work for which they are employed.

2.0 Seafarer Medical Certificate - ENG 1

2.1 The main form of medical fitness certification for those who work at sea is the ENG1 medical fitness certificate (or recognised equivalents from other countries). In addition to being the standard requirement for all seafarers serving on UK merchant ships, the ENG1 is also the required certificate for seagoing boatmasters who act as the **skipper** of seagoing local passenger vessels. It is also required for the skipper and all those working on Code vessels which operate more than 60 miles from shore.

2.2 An ENG1 certificate may be issued by an MCA approved doctor following a full medical examination. It is valid for a maximum of 2 years. Details of the procedures and medical and eyesight standards are given in MSN 1765(M). A list of Approved Doctors is published annually as a Merchant Shipping Notice (MSN) and a live list is also updated and available on the MCA's website at www.mca.gov.uk/seafarer information/health and safety. In all cases where evidence of medical fitness is required, the ENG 1 is acceptable

3.0 ML5 Report and Certificate

3.1 Since 1993 the ML5 **report** has been accepted as evidence of medical fitness for skippers of local passenger vessels and Code Boats. But this does not now meet the EC requirement for a **certificate** for those who work at sea. As an alternative to the ENG1 certificate, it was agreed when the new Regulations were introduced, that the ML5 form would be revised to include a new certificate which could be used by those working on vessels operating under MCA Codes of Practice no more than 60 miles to sea, or as crew on seagoing local passenger vessels. This MGN explains the new arrangements for the issue of the revised ML5 form and certificate and its use as evidence of medical fitness.

3.2 The revised **ML5 form, including a detachable certificate** will be introduced

from 1 March 2004. The certificate proforma may be completed by the examining medical practitioner on satisfactory completion of the ML5 report. The certificate will be acceptable as evidence of medical fitness for the following groups of seafarers and boatmasters :

- all those who work on Code vessels **up to 60 miles** from shore
- crew of seagoing local passenger vessels
- boatmasters on non-seagoing local passenger vessels

3.3 The medical requirements for BMLs for use on non-seagoing local passenger vessels remain unchanged. However, up to now, evidence of medical fitness has been the ML5 report form alone, but since the revised form will now include a certificate, and to avoid confusion, from 1 March 2004, all completed ML5 reports will include a certificate.

3.4 There are no medical requirements for crew on non-seagoing local passenger vessels.

3.5 A table summarising the above requirements for evidence of medical fitness is at Annex 1, and details of the main features of the ENG1 and the ML 5 report/certificate are at Annex 2.

4.0 How to obtain an ML5 Report and Certificate

4.1 Anyone requiring an ML5 certificate may obtain a copy of the ML5 proforma from any MCA Marine Office or it can be downloaded from the MCA's website as above. The form (MSF4112) consists of the standard ML5 report with a certificate attached. The applicant should take the form for completion to their general practitioner or any other medical practitioner registered with the UK General Medical Council (GMC). The doctor may make a charge for this service. Those working abroad who are unable to access a UK GMC registered doctor are advised to obtain an ENG 1 certificate from an MCA approved doctor or a seafarer medical certificate issued by one of the countries recognised as equivalent (listed in MSN 1777(M) or on the MCA's website)

- 4.2 The report is designed in a question and answer format. If, having completed the report, there are no ticks in any box indicating a medical problem, the doctor may complete the certificate proforma, which the seafarer should then take or send to the RYA (for those requiring RYA certificates on Code vessels) or an MCA Marine Office (for Boatmaster's Licence holders and others) for endorsement. The RYA or Marine Office (MO) will retain the report and copy of the certificate to support the application for an RYA Certificate/Licence but will return the endorsed certificate to the seafarer to keep. **The certificate will be valid for a maximum of 5 years.**
- 4.3 If during the ML5 examination, a seafarer is found to be suffering from any of the conditions which make them unfit for service, and a box on the report has to be ticked to this effect, the doctor will not be able to go on to complete the certificate; the completed report and blank certificate will be returned to the seafarer. If the applicant wishes to pursue their application, they may then take or send the form to the RYA or MO who may arrange for the application to be reviewed by an MCA Medical Assessor (MA). If, as a result, the MA considers the applicant is fit for service subject to certain restrictions, the MA may issue a restricted ML5 certificate which will be sent back to the applicant via the RYA or MO, who may then decide whether to issue a restricted RYA endorsement or Boatmaster's Licence (BML).
- 4.4 Those not requiring a BML or RYA Certificate, ie anyone other than Skipper working on a Code vessel or the crew of a seagoing local passenger vessel, do not need to have their ML5 certificates endorsed by the RYA or MO, but should retain them for inspection as necessary, noting the 5 year validity. Anyone in this category who has a tick on the ML5 report form indicating a medical condition affecting their fitness for service may apply to the MCA as above for review by a Medical Assessor, via the RYA or MO.
- 50 **Validity of Medical Certificates**
- 51 **ENG 1 certificates** – the maximum validity period for ENG 1 certificates is one year for seafarers between 16 and 18 years old, and 2 years for all those over the age of 18.
- 52 **ML5 certificates** – the maximum validity period for ML5 certificates is 5 years.
- 53 It should be noted that a seafarer medical certificate becomes invalid if the seafarer develops any of the conditions listed below or a disability affecting fitness to work; this includes mental as well as physical conditions. A new ENG 1 or ML5 certificate will need to be obtained on recovery.
- Epileptic seizures or sudden disturbances of the state of consciousness
 - Coronary thrombosis or heart surgery
 - Problems with heart rhythm or disease of the heart or arteries
 - Blood pressure not well controlled by drugs
 - Insulin-dependent diabetes
 - Stroke or unexplained loss of consciousness
 - Severe head injury with continuing loss of consciousness
 - Parkinson's Disease
 - Multiple Sclerosis
 - Mental or nervous problems
 - Alcohol or drug addiction
 - Profound deafness
 - Double or tunnel vision
 - Any other condition affecting fitness to navigate a vessel
- 6.0 **Boatmasters' Licences - Medical Requirements**
- 6.1 For **non-seagoing boatmasters**, the requirements for evidence of medical fitness remain essentially unchanged from those previously described in para 6 of M1525. These require the applicant to obtain an ML5 certificate on first application for a Boatmaster's Licence, and then on revalidation of the Licence every 5 years after the age of 45 and annually after the age of 65.
- 6.2 However, under the Medical Examination Regulations 2002, **seagoing boatmasters** serving on seagoing local passenger vessels are required to hold valid ENG1 seafarer medical certificates.

70 Transitional Arrangements

71 After 1 March 2004, an ML5 report and certificate will be required for revalidation of a commercial endorsement (Code vessels) or when the holder's Boatmaster's Licence is due for renewal. Crew members of seagoing local passenger vessels or those working on Code vessels (to whom the requirement for a medical certificate applies) who have obtained ML5 reports prior to the introduction of the ML5 certification may present their report to their local Marine Office for stamping and endorsement (if satisfactory) with an expiry date not more than 5 years after the date of examination. On expiry of this period they must obtain a ML5 certificate.

8.0 Further Information

8.1 Further information on the contents of this Note or any issue relating to seafarer health and safety should be referred to the Maritime and Coastguard Agency at the address below.

Seafarer Health and Safety Branch
2/09 Spring Place
105 Commercial Road
Southampton
SO15 1EG

Tel: 023 8023 9247
Fax: 023 8032 9251
Email: seafarerH&S@mcga.gov.uk

General Inquiries: 24 Hour Info Line
infoline@mcga.gov.uk
0870 600 6505

Website: <http://www.mcga.gov.uk>

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MEDICAL REQUIREMENTS FOR SERVICE ON LOCAL PASSENGER VESSELS

ROLE	AREA OF OPERATION	TYPE OF VESSEL	MEDICAL FITNESS CERTIFICATE REQUIRED
BML holder	Category A, B, C or D waters (See MSN 1776(M))	Non-seagoing local passenger vessel	ML5 or ENG 1
Skipper	To Sea (up to 3 miles from land or 15 miles from point of departure)	Seagoing local passenger vessel	ENG 1
Crew	To Sea	Seagoing local passenger vessel	ML5 or ENG 1

MEDICAL REQUIREMENTS FOR SERVICE ON SMALL COMMERCIAL VESSELS AND LARGE COMMERCIAL YACHTS, OPERATING UNDER MCA CODES OF PRACTICE FOR SEAGOING VESSELS

ROLE	CODE OF PRACTICE	AREA OF OPERATION	MEDICAL FITNESS CERTIFICATE REQUIRED
Skipper or other worker	"Yellow", "Blue", "Red" or "Brown" Code (Harmonised Small Commercial Vessel Code from 2004) or Large Yacht Code	Area Category 1 or 0 (more than 60 miles from a safe haven)	ENG 1
Skipper or other worker	"Yellow", "Blue", "Red" or "Brown" Code (Harmonised Small Commercial Vessel Code from 2004) or Large Yacht Code	Area Category 2, 3, 4, 5 or 6 (up to 60 miles from a safe haven)	ENG 1 or ML5 certificate (or see harmonised Code for alternatives).

MAIN FEATURES OF ENG 1 AND ML5 CERTIFICATES

The table below summarises the main features of each of the medical fitness systems.

Feature	ENG1 Certificate	ML5 Certificate
Medical conducted by	MCA Approved Doctor	Any registered medical practitioner (preferably applicant's GP)
Blank certificate/ form available from	Approved Doctor	MCA Marine Office or MCA web site
Cost of medical examination	£60 (at 1 March 2004) or as published in Merchant Shipping Fees regulations	According to individual doctor
Validity	2 years (max)	5 years (max) up to age 65 1 year (max) age 65 and over
Appeal/referral procedure (via RYA or MCA Marine Office)	MCA Medical Referee	MCA Medical Assessor
Medical Fitness Standards to be met	As detailed in MSN 1765(M)	As detailed in ML5 report form, plus MSN 1765(M) if referred to Medical Assessor

