



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 all shipowners, ship operators and ship managers; fishing vessel owners and managers; employers of seafarers and fishermen; masters, officers and seafarers and fishermen

This notice should be read with the Merchant Shipping (Maritime Labour Convention) (Medical Certification) Regulations 2010 as amended and the Merchant Shipping (Work in Fishing) (Medical Certification) Regulations 2018 and replaces MGN 264.

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
- boatmasters on non - seagoing local passenger vessels

1. Background

1.1 The Merchant Shipping (Maritime Labour Convention) (Medical Certification) Regulations 2010, (referred to in this Notice as “the 2010 Regulations”) came into force on 1 January 2010, implementing in the UK the medical certification provisions of the Maritime Labour Convention, 2006 (MLC).

1.2 The 2010 Regulations make it a legal requirement for any seafarer employed or engaged in any capacity aboard a sea-going ship to hold a valid certificate attesting to their medical fitness for the work for which they are employed.



1.3 An ML5 medical certificate is also acceptable for the crew of a passenger vessel of Class VI or VI(A), and for the master and crew of a small commercial vessel of large yacht operating under the appropriate MCA Code of Practice which goes no more than 60 miles from shore. (Regulation 10).

1.4 The medical certificate is the property of the seafarer and must be carried on board the ship on which they are working. It is an offence either to work on a seagoing ship without a valid medical fitness certificate, or to employ a seafarer who does not hold a valid medical fitness certificate on a sea-going ship.

1.5 MCA's interpretation of the meaning of the term "seafarer" for the purpose of these Regulations is explained in Marine Guidance Note MGN 471(M). "Seafarer" means any person, including a master, who is employed or engaged or works in any capacity on board a ship and whose normal place of work is on a ship.

2.0 Seafarer Medical Certificates

2.1 An ENG 1 seafarer medical certificate is required for those who are:

- the master or crew of a sea-going merchant vessel
- a boatmaster who is the skipper of a seagoing local passenger vessel
- a skipper or crew working on a code vessel which operate more than 60 miles from shore
- working on a fishing vessel over 24m in length
- working on a fishing vessel less than 24m in length, but are at sea for more than 72 hours or are operating more than 200 miles from the coastline of the UK or beyond the continental shelf
- working on a fishing vessel of any size that is subject to inspection at a foreign port

2.2 An ML5 medical report and certificate is required for those who are:

- the master of a non-seagoing passenger ship (Class IV or V) (see section 8)
- the master of a commercial non-seagoing vessel (see section 8)
- the master and crew of a small commercial vessel (under 24 metres, carrying no more than 12 passengers) going no more than 60 miles from shore (see also para 4.6)
- crew or other employee (like a steward, security guard, caterer) on a domestic seagoing passenger ship (Class VI or VI(A)).

2.3 There is no statutory requirement for the crew of a non-seagoing vessel (other than the master/skipper) to hold any medical certificate.

3.0 ENG 1 seafarer medical examination

3.1 An ENG 1 certificate can only be issued by an MCA Approved Doctor following a full medical examination. A list of Approved Doctors with contact details is published on the MCA's webpage.

For MCA Approved Doctors in the UK see:

<https://www.gov.uk/government/publications/mca-approved-doctors-uk-based>

For MCA Approved Doctors overseas, see:

<https://www.gov.uk/government/publications/mca-approved-doctors-overseas>



In addition to the Approved Doctors who are authorised to carry out medical examinations for any seafarer, some shipping companies also have doctors who are approved by the MCA to carry out statutory medical examinations for their own employees only.

3.2 Details of the medical and eyesight standards and procedures for ENG 1 medicals are given in MSN 1886 (M+F) and MSN 1887(M).

3.3 The ENG 1 certificate specifies the date that the medical examination was carried out and the expiry date. Under the 2010 Regulations, the maximum validity period for all seafarers over 18 is 2 years and, for seafarers under 18 years old, 1 year. If the seafarer's health demands it, an Approved Doctor may issue a certificate valid for a period of less than 2 years.

3.4 The ENG1 certificate is compliant with the MLC and with the IMO's International Convention on the Standards for Training, Certification and Watchkeeping (STCW) and so is valid for use on international voyages and will be recognised by port State authorities.

4.0 ML5 medical report and certificate

4.1 The ML5 (MSF 4112) form can be downloaded from the MCA's website here:

<https://www.gov.uk/government/publications/ml5-medical-report-form-and-certificate-msf-4112>

4.2 The ML5 consists of the standard ML5 report with a certificate attached and is designed in a question and answer format. 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) with a valid license to practice.

4.3 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 1815 (M+F)).

4.4 The ML5 is valid for a maximum of 5 years from date of issue or 65th birthday, whichever comes soonest. Or a maximum of 1 year for those over 65 years of age.

4.5 If, once the doctor has completed the report, there are no ticks in any box indicating a medical problem and the doctor has not made any additional comments about the individual's medical fitness, the doctor may complete the certificate proforma. The ML5 Medical Report and Certificate should be returned to the applicant.

4.6 The ML5 medical certificate is not compliant with the MLC or STCW and so may not be recognized by port State control authorities. It is therefore recommended that it is only used for domestic voyages.

5.0 ML5 Referral Process

5.1 If the doctor has ticked any "yes" boxes indicating a medical condition, or has made comments concerning the seafarer's fitness, then the doctor will be unable to issue the ML5 certificate, and the MCA Marine Office or RYA cannot issue an endorsement.

5.2 In these circumstances the ML5 report can be referred to an MCA Medical Assessor for a decision based on the seafarer's fitness to undertake their role and the Medical Standards in MSN 1886 (M+F). In order to start the referral process the applicant should complete Part D of the ML5 Medical Report (MSF 4112), and send the entire ML5 Medical Report to the appropriate department as detailed section 6 of this notice.



5.3 The applicant can provide further information regarding their fitness to hold a Boatmaster License (BML) or RYA endorsement. This may include medical evidence from their GP, a specialist consultant or optometrist as appropriate. Medical evidence can be submitted with the ML5 form in an envelope marked "Private and Confidential" for forwarding to the MCA ML5 Medical Assessor.

5.4. Once the ML5 has been referred to the ML5 Medical Assessor, the Assessor has 10 working days to determine whether or not they can issue an ML5 medical certificate based on the evidence provided. The Assessor may also decide it is necessary to place restrictions on the seafarer's area of operation or duties. Taking account of the Assessor's decision, it will then be for the MCA Marine Office or RYA to decide whether the BML or RYA endorsement can be issued.

5.5 The ML5 Medical Assessor will sometimes issue a compliance letter to the applicant to accompany their medical certificate. This is to emphasize that the certificate is issued on the basis of the applicant's current medical status, including any treatment or monitoring to which they are subject under their GP or consultant. Any change to that treatment may require a review of their medical certification.

6.0 Where to send the ML5 Medical Report Form

6.1 Whether or not the ML5 requires referral to an ML5 Medical Assessor the below applies:

6.2 If the applicant is using their ML5 medical to obtain an RYA commercial endorsement, the ML5 certificate (which will be blank if a referral is needed) and report should be submitted to RYA along with any other documents required. If the RYA's requirements are met they will add a commercial endorsement to the ML5 certificate and return it along with any other relevant certification.

6.3 If using the ML5 to apply for a Boatmasters License as a new entrant, the ML5 certificate (which will be blank if a referral is needed) and report should be submitted as part of the application form (MSF 4364) to the local MCA Marine Office, as listed here:
<https://www.gov.uk/government/organisations/maritime-and-coastguard-agency/about/access-and-opening>

6.4 If using the ML5 to apply for a revalidation of a BML, the ML5 certificate (which will be blank if a referral is needed) and report should be submitted as part of the application form (MSF 4365) to RSS in Cardiff, the full address can be found in the application form.

6.5 For crew members of class VI/VI(A) passenger ships the ML5 certificate (which will be blank if a referral is needed) and report should be submitted to the local MCA Marine Office.

7.0 Change in Medical History

7.1 Every person working on board a ship has a duty to ensure their own health and safety and that of others working with them. It is therefore the seafarer's responsibility not to work when temporarily unfit to do so because of illness or injury. The seafarer must advise the issuing authority (MCA or RYA), if during the validity of the ML5 certificate, they suffer from or develop any of the following:

- a) a serious health problem or injury where they will not fully recover;
- b) any of the conditions listed below:
 - epileptic seizures or sudden disturbances of consciousness
 - myocardial infarction (heart attack) or heart surgery
 - problems with heart rhythm
 - disease of the heart or arteries



- uncontrolled blood pressure
- diabetes requiring insulin treatment
- stroke or unexplained loss of consciousness
- head injury with continuing loss of consciousness
- Parkinson's Disease or Multiple Sclerosis
- mental or nervous problems including anxiety or depression
- alcohol or drug dependency problems
- profound deafness
- serious deterioration in vision or long-term eye disease

c) any other disability or illness (mental or physical) which affects their fitness to work, in particular to navigate safely and to be able to undertake emergency duties; for instance, diabetes treatment changes from diet or tablets to insulin.

8.0 Boatmasters' Licenses - Medical Requirements

8.1 Any BML holder wishing to operate a passenger vessel which goes beyond categorised waters must hold a valid ENG 1 seafarer medical certificate (or equivalent issued by a recognised country as specified in MSN 1815 (M+F) or any subsequent revision).

8.2 A valid ML5 Medical Certificate is required for all other types of operation in the following circumstances:

- (a) a new entrant making a first application for a BML
- (b) a BML holder applying for an upgrade or endorsement
- (c) a BML holder aged 45 to 64 must hold an ML5 issued within the last 5 years
- (d) a BML holder aged 65 and over must hold an ML5 issued within the last year

For further information regarding Medical Fitness Certificate for BML applicants please refer to MSN 1853 (M).

More Information

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