

LIST OF YOUNG PERSONS

MSF 4158 (Rev 11/13)

SUMMARY OF THE PROVISIONS OF THE MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) (MINIMUM REQUIREMENTS FOR SEAFARERS) REGULATIONS 2014 AND THE MERCHANT SHIPPING AND FISHING VESSELS (HEALTH AND SAFETY AT WORK) EMPLOYMENT OF YOUNG PERSONS) REGULATIONS 1998 (AS AMENDED)

(This summary is required to be included in every list of crew)

No person under 16 years of age may be employed in any ship to which the Maritime Labour Convention, 2006 applies.

Where young persons (i.e. persons over 16 years of age and under 18 years of age) are employed in a ship, appropriate measures shall be taken to protect them from the risks to their health and safety which are a consequence of their lack of experience, absence of awareness of existing or potential risks, or lack of maturity.

Young persons under the age of 18 may not begin work, unless –

- an assessment has been carried out of the risks to their health and safety as a result of their inexperience, absence of awareness of risks, or lack of maturity.
- the young persons have been informed of the findings of that assessment, and appropriate measures taken for their protection.

Young persons shall not be employed in work which is objectively beyond their physical or psychological capacity or otherwise involves exposure to the risks identified in the Schedule to the Regulations, unless that work is–

- indispensable for their vocational training; and
- is performed under the supervision of a competent person.

Young persons shall be provided with

- a rest period of 12 hours in every 24 hour period;
- a rest period of 2 days in every week;
- where daily working time is more than four and a half hours, a rest period of 30 minutes;

except where the young person is working –

- under a schedule of duties complying with regulation 9 of the Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Regulations 1997, or
- under another relevant agreement;

in which case they shall be allowed compensatory rest time and measures shall be taken to ensure that there is no risk to their health and safety.

Young persons under 18 years of age must not work, or be employed or engaged to work, at night on a ship except where :-

- the effective training of the seafarer, in accordance with established programmes and schedules, would be impaired by its application; and
- the specific nature of the duty or of a recognised training programme requires that the seafarer performs duties at night, and the work to be carried out is specified in Merchant Shipping Notice 1838(M) as not being detrimental to the health and well-being of young persons under the age of 18.

In this context “night” means a period the duration of which is not less than nine consecutive hours, and which starts no later than midnight and ends no earlier than 5 a.m. (local time).

Young persons shall be entitled to a free assessment of their health and capacities before starting work in a ship, and to free monitoring of their health, where the risk assessment identifies a significant risk to their health or where they are regularly required to work at night, for as long as they are exposed to that risk.

Young persons shall not be employed in any capacity unless the Master is in possession of a Medical Certificate issued by a duly qualified medical practitioner certifying that person is fit to be employed in that capacity. In cases of urgency a proper officer may authorise a young person to be employed without a certificate up to but not beyond the first port of call where there is a duly qualified medical practitioner.

