

# THE MARSHALL ISLANDS YACHT REGISTRY

SERVICE & QUALITY ARE WITHIN YOUR REACH

## MARITIME LABOUR CONVENTION, 2006 (MLC, 2006)

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10 February 2011 - Columbus Hotel Monaco



**INTERNATIONAL REGISTRIES, INC.**  
THE MARSHALL ISLANDS MARITIME AND CORPORATE ADMINISTRATORS





## 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.*”





## 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

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## 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.







## 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 4.5m<sup>2</sup>, including en-suite sanitary facilities
  - Officers' common room, allowing for 1.5m<sup>2</sup> per officer
- **500-1000 GT**
  - Officers' cabins 6.5m<sup>2</sup> including en-suite facilities and officers' common room
- **1000-1250 GT**
  - Officers' cabins 7.5m<sup>2</sup> 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.”*

THE MARSHALL ISLANDS  
YACHT REGISTRY



**THANK YOU**



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