

**Report of the 2016 Concentrated Inspection Campaign (CIC) on
Maritime Labour Convention, 2006**



Executive Summary

The Maritime Labour Convention, 2006 (MLC, 2006) came into force on 20 August 2013 and is a “relevant instrument” of the Paris MoU.

Taking the entry into force of this new Convention into consideration at the 46th session of the Paris MOU Committee meeting it was agreed to organize a CIC in 2016 to verify the compliance with the requirements of the Convention on all types of ships.

The targeting and the type of inspection to be performed was determined in accordance with normal ParisMoU procedures. The CIC was performed complementary to the inspection.

As ships from non-ratifying States should not receive any more favourable treatment than ships from States that have ratified the convention, this CIC was undertaken once on every individual ship eligible for inspection during the period of the campaign.

A total of 3674 inspections were carried out with the CIC questionnaire completed on ships targeted for inspection.

In general, the results of the CIC on MLC show a good standard of implementation of the MLC,2006 requirements on board the ships inspected, with a minimum of 95% of positive results in the Questionnaire, except the question regarding the SEA content (93,5% of positive results) and sufficient compliance on the subjects in the questionnaire with respect to the number of detentions.

A total of 42 ships were detained in line with the CIC Questionnaire representing 1,1% of the total. These detentions have not caused an increase regarding the overall detention percentage. Principal grounds for detention were linked with wages, seafarer’s employment agreement and procedure of complaint areas.

However, taking notice of the number of deficiencies raised during this campaign, Port State Control Officers in the Paris MoU will maintain the necessary attention on the enforcement of MLC, 2006. The industry should focus on the main deficiencies identified in this report. The ILO might wish to discuss the outcome of this report.

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1 Introduction

Purpose of this Report

The purpose of this report is to present the results of the CIC on MLC,2006 to both member States of the Paris MoU and the general public.

1.2 Objective of the CIC

The objectives of this CIC were:

- To improve the maritime labour conditions at sea,
- The need to verify compliance of ships with the new requirements of the MLC, 2006,
- The need to enhance the overall knowledge of PSCO's in the Paris MoU region on this new regulation.

1.3 Scope of the CIC

The CIC was undertaken once on every individual ships targeted for inspection within the Paris MoU Region between 1st September 2016 and 30th November 2016. Inspections results from ParisMoU member States where the MLC,2006 was not yet ratified or in effect have been excluded from the results.

1.4 General Remarks

General remarks to be included in the report :

- For the purpose of this report, a detention is an inspection containing at least one deficiency that is considered a ground for detention.
- The tables do not take into account inspections where the CIC questionnaire was not recorded, with exception of table 2.

2 Summary, Conclusions and Recommendations

2.1 Summary

A total of 3674 inspections have been performed with the CIC questionnaire on ships targeted for inspection.

A total of 42 ships were detained in line with the CIC Questionnaire representing 1,1% of the total. These detentions have not caused an increase regarding the overall detention percentage. Principal grounds of detentions are linked with :

- the wages (23 detentions),
- the seafarer's employment agreement (18 detentions),
- the procedure of complaint (13 detentions).

Overall, the results of the campaign show a proper implementation of the MLC,2006 provisions referred to in the CIC Questionnaire, with a minimum of 95% of positive results in the Questionnaire (see Table 1), except the question regarding the SEA content (93,5% of positive results).

However, in particular, it's noted that the recording of deficiencies in the CIC period is significantly higher than the 8 months previous to the CIC, mostly in the following MLC areas : seafarer's employment agreement (318 findings), complaint procedure (184 findings), wages (91 findings).

2.2 Conclusions

In general, the results of the CIC on MLC,2006 show a proper implementation of the MLC requirements on board the ships inspected, and sufficient compliance on the MLC areas focused in the questionnaire, with respect to the number of detentions.

However, taking notice of the number of deficiencies raised during this campaign, Port State Control Officers in the Paris MoU will maintain the necessary attention on the enforcement of MLC, 2006. The industry should focus on the main deficiencies identified in this report.

2.3 Recommendations

Regarding the number and the nature of deficiencies in relation to the seafarer's employment agreement, the industry should be reminded that all the informations required by the MLC must be included in the SEA.

3 CIC Questionnaire Results

3.1 Analysis

The analysis is based on the results of the CIC questionnaire on the data provided by the inspection database THETIS and on reports of PSCO's and RO representatives. Special attention was paid to the vessels detained and the grounds for detention.

The results show a total number of 3999 inspections. A total of 325 of those inspections were done without the requested questionnaire. A total of 3674 inspections have been performed with the CIC questionnaire. 42 detentions were recorded in the database as a result of the CIC.

In general the percentage of detentions due to the CIC did not lead to a higher percentage of the average detention percentage.

The number of deficiencies registered in the CIC reporting period is significantly higher than the previous 8 months. The goal of raising awareness and attention within the ParisMoU is reached in that way. Monitoring the recording of deficiencies in future periods would be advised, to see if awareness is sustainable.

Observations were received from PSCOs pointing out difficulties to find mandatory information when this information was referenced in a CBA.

3.1.1 Response to CIC questionnaire

The following table shows the results on the CIC questionnaire.

On the 3674 inspections using the questionnaire the results are divided in “Yes”, “No”, “N/A” and “Blank”. There are no specific results in “N/A” or “Blank” that need specific attention.

Table 1 Response to CIC questionnaire

Nr.	CIC on MLC,2006	Measured over only Yes and No answers		Measured over Total of CIC Inspections						
		'YES'(1)		'NO'(1)		N/A(2)		Blank(2)		% 'NO' adjusted Det.(3)
		#	%	#	%	#	%	#	%	
Q1*	Are seafarers under the age of 18 excluded from tasks that are likely to jeopardize their safety or health? Standards A 1.1. para. 4 (18101)	223	74.6%	76	25.4%	3375	91.9%	0	0.0%	98.7%
Q2*	Are all seafarers holding valid certificate(s) attesting medical fitness? Standard A 1.2. para. 1 (18103)	3602	98.2%	66	1.8%	2	0.1%	4	0.1%	93.9%
Q3**	Have all seafarers successfully completed their training for personal safety on board? Regulation 1.3. para. 2 (1219)	3635	99.3%	24	0.7%			15	0.4%	
Q4.1**	Do all seafarers have a copy of their seafarers' employment agreement? Standards A 2.1. para 1 (a) (1220)	3576	97.9%	78	2.1%			20	0.5%	
Q4.2**	Are the seafarers' employment agreements in compliance with minimum standard required by MLC? Standards A 2.1. para 4 (1220)	3425	93.5%	240	6.5%			9	0.2%	

Nr.	CIC on MLC,2006	Measured over only Yes and No answers		Measured over Total of CIC Inspections						
		'YES'(1)		'NO'(1)		N/A(2)		Blank(2)		% 'NO' adjusted Det.(3)
		#	%	#	%	#	%	#	%	
Q5	If private recruitment and placement service has been used, does it meet the requirements of the MLC, 2006? Standard A 1.4. para. 2 and para 9 (18104)	2376	98.0%	49	2.0%	1243	33.8%	6	0.2%	100.0%
Q6	Are records of inspections of seafarer accommodations carried out by the master (or another designated person) available for review? Standard A 3.1. para. 18 (18328)	3588	98.0%	74	2.0%			12	0.3%	
Q7	Are frequent inspections carried out by or under the authority of the master, with respect to supplies of food and drinking water, all spaces and equipment used for the storage and handling of food and drinking water, and galley and other equipment for the preparation and service of meals documented? Standard A 3.2 para. 7 (18320)	3571	97.4%	96	2.6%			7	0.2%	
Q8	Has a ships safety committee been established on board regarding ships on which there are five or more seafarers? Standard A 4.3. para. 2d (18430)	3540	99.1%	33	0.9%	89	2.4%	12	0.3%	100.0%
Q9*	For a ship not being required to carry a medical doctor, is there on board at least one seafarer, holder of a certificate of training in medical first aid or in medical care that meets the requirements of STCW? Standard A.4.1. para. 4c (18404)	3580	99.9%	3	0.1%	79	2.2%	12	0.3%	100.0%

Nr.	CIC on MLC,2006	Measured over only Yes and No answers				Measured over Total of CIC Inspections				% 'NO' adjusted Det.(3)
		'YES'(1)		'NO'(1)		N/A(2)		Blank(2)		
		#	%	#	%	#	%	#	%	
Q10**	Are all seafarers provided with a copy of on-board complaint procedures applicable on the ship ? Standard A 5.1.5 para.4 (1330)	3476	95.0%	184	5.0%			14	0.4%	
Q11**	Have all seafarers received monthly accounts of their payments due and amounts paid? Standard A2.2, para. 2 (18203)	3568	97.5%	91	2.5%			15	0.4%	
Q12	Was the ship detained as result of the CIC?	56	1.5%	3600	98.5%			18	0.5%	

Note: Questions 1 to 11 answered with a "NO" MUST be accompanied by a relevant deficiency on the Report of Inspection.

If the box "No" is ticked off for questions marked with an "**",the ship may be considered for detention.

If the box "No" is ticked off for questions marked with an "**", and if the deficiency found is repeated (occure more than 1 time), the ship may be considered for detention.

(1) The percentages are calculated using the total number of inspections where the answer was "YES" or "NO" only.

(2) The percentages are calculated using the total number of inspections.

(3) % ['NO' adjusted] = % [Answer = NO, may be considered for detention] but the ship has not been detained

3.1.2. Analysis of answers to questionnaire in relation to detention

- Mandatory informations in the SEA :

The number of deficiencies raised during the CIC and the analysis of the deficiencies through the detentions in line with CIC, show that the SEA don't always meet the requirements of MLC,2006 in terms of mandatory information. Primarily the concerns are related to information on calculation of wages, entitlement to repatriation, the termination of agreement, if applicable and health and social security protection benefits.

According to some PSCO's report, some of the particulars required to be included in a seafarers' employment agreement (SEA) according to Standard A2.1.4 (a) to (k) were missing. In some cases, the missing particulars were included in the collective bargaining agreement (CBA) in accordance with Standard A2.1.2. In such cases, some reports show that the inspection was difficult, especially when identifying the part of the CBA covering the missing particulars of the SEA.

3.1.3. Analysis of CIC-topic related deficiencies

- Seafarer's employment agreement and procedure of complaint :

The tables 2 and 3 show the results on the CIC topic related deficiencies. Based on those figures it shows that the Seafarers Employment Agreement (SEA) was most recorded as ground for detention (22). This number is the result of answers to questions 4.1 and 4.2. Looking at the number of deficiencies, again "SEA" and the "availability of onboard complaint procedure" show the largest recordings (357 and 191).

The deficiencies on the SEA are of three types :

- SEA expired,
- SEA missing,
- SEA not properly filled according to the MLC minimum requirements.

The deficiencies on the procedure of complaint are of two main types:

- Procedure of complaint is missing onboard,
- Procedure of complaint not provided to seafarers.

- Wages :

A total of 91 of the 3674 inspections were subject to one deficiency at least regarding the wages and led to 22 detentions. This is the area which leads proportionally more often to a detention (25%). The deficiency is more or less of the same type: the wages are unpaid, not totally unpaid or not paid in due course.

3.1.4. Number of inspections and number of ships in CIC

The following table shows the total number of the CIC. Be aware of the number of 3904 "individual ships inspected during CIC". This is different from the next columns that refer to "inspections". 325 out of 3999 inspections (8.1%) have been done without CIC.

Table 2 Number of inspections and number of ships in CIC

	# of individual ships inspected during CIC	# of inspections performed with a CIC questionnaire	# of inspections without a CIC questionnaire
Total # of inspections	3904	3674	325
# of inspections with detentions	177	161	16
# of detentions with <i>CIC</i> -topic related deficiencies	42	42	0

3.1.5 Specification of CIC-topic related deficiencies

Table 3 Specification of CIC-topic related deficiencies

CIC-topic related deficiencies		Inspections	Detentions CIC-topic related	Detentions CIC-topic related with RO responsibility
		(# of inspections with this deficiency) One inspection can have multiple deficiencies	(# of inspections with this deficiency recorded as ground for detention)	(# of inspections with this deficiency recorded as ground for detention and RO related)
01219	Training and qualification MLC - Personnel safety training	19	3	
01220	Seafarers' employment agreement (SEA)	357	22	
01330	Procedure for complaint under MLC,2006	191	15	
18101	Minimum age	2	1	
18103	Medical fitness	45	4	
18104	Recruitment and placement service	30		
18203	Wages	78	17	
18320	Record of inspection (food and catering)	87		
18328	Record of inspection	68		
18404	Medical doctor or person in charge of medical care	4		
18430	Ship's safety committee	33		

3.1.6. Number of ships to number of inspections during CIC campaign
(Table 4)

# of inspections performed per ship	# of ships	% of total
1	3666	99.9%
2	4	0.1%
3	0	0.0%
Total	3670	100.0%

3.1.7 Number of inspected ships per Ship Risk Profile
(Table 5)

Ship Risk Profile	# of inspections	# of detentions	detention as % of inspections	detentions CIC-topic related	detentions CIC-topic related as % of inspections
High Risk Ship (HRS)	188	31	16.5%	9	4.8%
Standard Risk Ship (SRS)	3061	123	4.0%	33	1.1%
Low Risk Ship (LRS)	203	5	2.5%	0	0.0%
Unknown	222	2	0.9%	0	0.0%
Total	3674	161	4.4%	42	1.1%

3.1.8 Number of inspected ships and detentions per ship type
(Table 6)

Ship type	# of inspections	# of detentions	detention as % of inspections	detentions CIC-topic related	detentions CIC-topic related as % of inspections
Bulk carrier	789	21	2.7%	3	0.4%
Chemical tanker	367	14	3.8%	0	0.0%
Combination carrier	3	0	0.0%	0	0.0%
Commercial yacht	32	0	0.0%	0	0.0%
Container	364	9	2.5%	0	0.0%
Gas carrier	107	2	1.9%	2	1.9%
General cargo/multipurpose	1062	89	8.4%	31	2.9%
Heavy load	15	1	6.7%	0	0.0%
High speed passenger craft	9	0	0.0%	0	0.0%
NLS tanker	13	1	7.7%	1	7.7%
Offshore supply	103	2	1.9%	0	0.0%
Oil tanker	318	4	1.3%	1	0.3%

Ship type	# of inspections	# of detentions	detention as % of inspections	detentions CIC-topic related	detentions CIC-topic related as % of inspections
Other	29	3	10.3%	1	3.4%
Other special activities	89	2	2.2%	0	0.0%
Passenger ship	41	1	2.4%	0	0.0%
Refrigerated cargo	76	5	6.6%	1	1.3%
Ro-Ro cargo	162	3	1.9%	0	0.0%
Ro-Ro passenger ship	23	3	13.0%	2	8.7%
Special purpose ship	20	0	0.0%	0	0.0%
Tug	52	1	1.9%	0	0.0%
Total	3674	161	4.4%	42	1.1%

3.1.9 Inspections and detentions per Flag State

(see Annex 1.4)

3.1.10 Inspections and detentions per Recognized Organization

(see Annex 1.5)

3.1.11 Ship age overview

(Table 7)

Ship age*	# of inspections	# of detentions	Detention as a % of inspections	Detentions CIC-topic related	Detentions CIC-topic related as a % of inspections
≤ 5 years	593	5	0.8%	1	0.2%
6-10 years	1144	20	1.7%	2	0.2%
11-15 years	643	23	3.6%	1	0.2%
16-20 years	447	19	4.3%	5	1.1%
21-25 years	245	8	3.3%	3	1.2%
26-30 years	201	21	10.4%	5	2.5%
31-35 years	165	23	13.9%	8	4.8%
> 35 years	236	42	17.8%	17	7.2%
Total	3674	161	4.4%	42	1.1%

3.2 Results other CIC participants (if applicable)

3.2.1. Analysis

(text)

3.2.2. Comparison of CIC-results with other participants

(Table 9)

	PMOU	OTHER PARTICIPANT X	OTHER PARTICIPANT Y
INSPECTIONS			
DETENTIONS			
DETENTIONS AS A % OF INSPECTIONS			
DETENTIONS WITH CIC-TOPIC RELATED DEFICIENCIES			
DETENTIONS WITH CIC-TOPIC RELATED DEFICIENCIES AS A % OF INSPECTIONS			
DETENTIONS WITH CIC-TOPIC RELATED DEFICIENCIES AS A % OF DETENTIONS			

Annex 1

Annex 1.1 Inspection form of the CIC

Questionnaire for the Concentrated Inspection Campaign (CIC) on Maritime Labour Convention, 2006

Ship's name	
IMO Nr	
Date of inspection	

N°	QUESTIONS	YES	NO	N/A
1*	Are seafarers under the age of 18 excluded from tasks that are likely to jeopardize their safety or health? Standards A 1.1. para. 4 (def code 18101)			
2*	Are all seafarers holding valid certificate(s) attesting medical fitness? Standard A 1.2. para. 1 (def code 18103)			
3**	Have all seafarers successfully completed their training for personal safety on board? Regulation 1.3. para. 2 (def code 01219)			
4.1**	Do all seafarers have a copy of their seafarers' employment agreement? Standards A 2.1. para 1 (a) (def code 01220)			
4.2**	Are the seafarers' employment agreements in compliance with minimum standard required by MLC? Standards A 2.1. para 4 (def code 01220)			
5	If private recruitment and placement service has been used, does it meet the requirements of the MLC, 2006? Standard A 1.4. para. 2 and para 9 (def code 18104)			
6	Are records of inspections of seafarer accommodations carried out by the master (or another designated person) available for review? Standard A 3.1. para. 18 (def code 18328)			
7	Are frequent inspections carried out by or under the authority of the master, with respect to supplies of food and drinking water, all spaces and equipment used for the storage and handling of food and drinking water, and galley and other equipment for the preparation and service of meals documented? Standard A 3.2 para. 7 (def code 18320)			
8	Has a ships safety committee been established on board regarding ships on which there are five or more seafarers? Standard A 4.3. para. 2d (def code 18430)			
9*	For a ship not being required to carry a medical doctor, is there on board at least one seafarer, holder of a certificate of training in medical first aid or in medical care that meets the requirements of STCW? Standard A.4.1. para. 4c (def code 18404)			
10**	Are all seafarers provided with a copy of on-board complaint procedures applicable on the ship ? Standard A 5.1.5 para.4 (def code 01330)			
11**	Have all seafarers received monthly accounts of their payments due and amounts paid? Standard A2.2, para. 2 (def code 18203)			
12	Was the ship detained as result of the CIC?			

Note: Questions 1 to 11 answered with a "NO" MUST be accompanied by a relevant deficiency on the Report of Inspection.

*If the box "No" is ticked off for questions marked with an "**", the ship may be considered for detention.*

*If the box "No" is ticked off for questions marked with an "***", and if the deficiency found is repeated (occure more than 1 time), the ship may be considered for detention.*

Annex 1.2 Additional Instructions for the CIC

Guidelines for PSCO's on the Concentrated Inspection Campaign (CIC) on Maritime Labour Convention, 2006

Introduction

General

The Maritime Labour Convention, 2006 (MLC, 2006) came into force in 20 August 2013 and is a "relevant instrument" in the Paris MoU.

Taking the entry into force of this new Convention into consideration, at the 46th session of the Paris MOU Committee meeting, it was agreed to organize a CIC in 2016 to verify the compliance with the MLC, 2006 on all types of ships.

The type of inspection to be performed is determined in accordance with PMoU procedures. The CIC is performed complementary to the inspection. The fact that a CIC is performed by itself does not change the type of inspection.

As ships from non-ratifying States should not receive any more favourable treatment than ships from States that have ratified the convention, this CIC will be undertaken once on every individual ship eligible for inspection during the period of the campaign.

Goals and purposes

To improve the maritime labour conditions at sea.

The need to verify compliance of ships with the new requirements of the MLC, 2006.

The need to enhance the overall knowledge of PSCO's in the Paris MoU's region on this new regulation.

References

The following CIC guidance is provided to assist in checking for compliance of MLC, 2006, during the Campaign. In addition PSCOs should also refer to the PSCCInstruction Guidance for inspection on Maritime Labour Convention and the ILO Guidelines for Port State Control Officers carrying out inspections under the Maritime Labour Convention, 2006 (referred to in the abovementioned instruction).

When conducting the CIC, PSCOs should bear in mind that, for ships flying the flag of States for which the MLC, 2006 is in force, the DMLC Parts I and II should provide important clarifications on how the Convention is being implemented on the ship concerned. This is applicable for all inspection items but is also highlighted below with respect to specific questions and guidance.

Annex 1.3 Explanatory notes to the questions

Questionnaire guidance

1. Are seafarers under the age of 18 excluded from tasks that are likely to jeopardize their safety or health?

Standards A 1.1. para. 4
(def code 18101)

The employment, engagement or work of seafarers under the age of 18 shall be prohibited where the work is likely to jeopardize their health or safety. The types of such work shall be determined by the national laws or regulations or by the competent authority, after consultation with the shipowners' and seafarers' organizations concerned, in accordance with relevant international standards.

Night work of seafarers under the age of 18 shall be prohibited¹. For the purpose of this standard, "night" shall be defined in accordance with national law and practice. It shall cover a period of at least nine hours starting no later than midnight and ending no earlier than 5 a.m. (def code 18102)

No seafarer under the age of 18 shall be employed or engaged or work as a ship's cook. (def code 18325).

The PSCO should check that:

- either anyone on board were less than 18 old;
- For young crew member under the age of 18, PSCO attention must be given to their planning table and working conditions as so far as night work is prohibited for them.

Possible sources of information :

- A crew list, a passport, an id cards or a seamen's book or other official document confirming seafarers' birth dates;
- Work schedule with respect to seafarers under the age of 18 to determine hours and nature of work;
- Recent accident reports and safety committee reports to determine whether seafarers under the age of 18 were involved;
- Information on types of work on board that have been identified as likely to jeopardize the safety of seafarers under the age of 18;
- Tasks determined by the flag State as likely to jeopardize health or safety of seafarers under 18 as contained in DMLC (part I and II) for vessels flying a ratifying flag;

2. Are all seafarers holding valid certificate(s) attesting medical fitness?

Standard A 1.2. para. 1
(def code 18103)

1

An exception to strict compliance with the night work retraction may be made by the competent authority when the effective training of the seafarers concerned, in accordance with established programmes and schedules, would be impaired; or the specific nature of the duty or a recognized training programme requires that the seafarers covered by the exception perform duties at night and the authority determines that the work will not be detrimental to their health or well-being. The exemption might be as well a single authorisation to a young seafarer or part of national legislation according to DMLC part 1.

Seafarers shall not work on a ship unless they are certified as medical fit to perform their duties.

A medical certificate issued in accordance with the requirements of STCW shall be accepted by the competent authority, for the purpose of Regulation 1.2 of MLC, 2006. A medical certificate meeting the substance of those requirements, in the case of seafarers not covered by STCW, shall similarly be accepted.

The medical certificate shall be issued by a duly qualified medical practitioner or, in the case of a certificate solely concerning eyesight, by a person recognized by the competent authority as qualified to issue such a certificate.

Each medical certificate shall state in particular that:

- the hearing and sight of the seafarer concerned, and the colour vision in the case of a seafarer to be employed in capacities where fitness for the work to be performed is liable to be affected by defective colour vision, are all satisfactory; and
- the seafarer concerned is not suffering from any medical condition likely to be aggravated by service at sea or to render the seafarer unfit for such service or to endanger the health of other person on board (Standard A1.2, paragraph 6).

For seafarers working on ships ordinarily engaged on international voyages the certificate must be provided in English (Standard A1.2, paragraph 10).

The period of validity for a certificate is determined under national law in accordance with the following:

- two-year maximum for medical certificates except for seafarers under 18; then it is one year;
- six-year maximum for a colour vision certificate (Standard A1.2, paragraph 7).

The PSCO should check that:

- The crew list is in compliance with the actual seafarers present on board;
- All crew members hold a valid medical certificates attesting that they are medically fit to perform the duties they are to carry out at sea;
- The valid colour vision certificates, where appropriate;
- The medical certificates were valid for a maximum period of two years² (unless the seafarers under the age of 18 required a certificate for maximum one year). A certificate of colour vision shall be valid for a maximum of six years;
- The medical certificates for seafarers working on ships ordinarily engaged on international voyages must as a minimum be provided in English;

Possible sources of information :

- The crew list;
- The medical certificates;
- Colour vision certificates, where appropriate;
- The authorization or permit (subject to a maximum validity of three months) where the competent authority of the flag State has permitted a seafarer to work without a valid, or with an expired, certificate in urgent cases;

3. Have all seafarers successfully completed their training for personal safety on board?

**Regulation 1.3. para. 2
(def code 01219)**

² In urgent cases the competent authority may permit a seafarer to work without a valid medical certificate until the next port of call where the seafarer can obtain a medical certificate from a qualified medical practitioner, provided that:

- (a) the period of such permission does not exceed three (3) months; and
- (b) the seafarer concerned is in possession of an expired medical certificate of recent date.

Seafarers must be trained or certified³ as competent or otherwise qualified to perform their duties in accordance with flag State requirements.
Seafarers must have successfully completed training for personal safety on board ship.

The PSCO should check that :

- All seafarers have been completed their training for personal safety on board.

Possible sources of information :

- The crew list;
- Documentary evidence (training records) confirming that seafarers have successfully completed training for personal safety on board ship;
- Appropriate training material that is available to the crew;

4 Seafarers' employment agreement:

4.1 Do all seafarers have a seafarers' employment agreement?

Standards A 2.1. para 1 (a)
(def code 01220)

All seafarers must have a seafarers' employment agreement (SEA) signed by both the seafarer and the shipowner or shipowner's representative (or, where they are not employees, other evidence of contractual or similar arrangements).
Readable copy of SEA should be accepted by the PSCO.

If all seafarers have a SEA signed by both the seafarer and the shipowner or shipowner's representative, the questions 4.1 should be answered as "YES".

If one or more seafarers do not have an original or a copy of their SEA, signed by both the seafarer and the shipowner or shipowner's representative, the questions 4.1 should be answered as "NO" and the nature of defect of the deficiency should be "missing".

4.2 Are the seafarers' employment agreements in compliance with minimum standard required by MLC?

Standards A 2.1. para 4
(def code 01220)

Standards A 2.1, paragraph 4, lays out the matters that are to be included in all seafarers' employment agreements

However, a collective bargaining agreement can form all or part of the SEA. When it does the agreement must be on board the ship with the relevant portions of the collective bargaining agreement in English (Standard A2.1, paragraph 2, letter b).

The SEA shall in all cases contain the following particulars (Standard A2.1, paragraph 4(a)–(k) of the MLC):

- the seafarer's full name, date of birth or age, and birthplace;
- the shipowner's name and address;
- the place where and date when the seafarers' employment agreement is entered into;
- the capacity in which the seafarer is to be employed;
- the amount of the seafarer's wages or, where applicable, the formula used for calculating them;
- the amount of paid annual leave or, where applicable, the formula used for calculating it;
- the termination of the agreement and the conditions thereof, including:

³ Training and certification in accordance with the International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978 (STCW), as amended, is to be accepted as meeting these requirements.

- if the agreement has been made for an indefinite period, the conditions entitling either party to terminate it, as well as the required notice period, which shall not be less for the shipowner than for the seafarer;
- if the agreement has been made for a definite period, the date fixed for its expiry; and
- if the agreement has been made for a voyage, the port of destination and the time which has to expire after arrival before the seafarer should be discharged;
- the health and social security protection benefits to be provided to the seafarer by the shipowner;
- the seafarer's entitlement to repatriation;
- reference to the collective bargaining agreement, if applicable; and
- any other particulars which national law may require.

If the examined SEA contains, at a minimum, the matters set out in Standard A2.1, paragraph 4(a)–(k) of the MLC, 2006 (see above), the questions 4.2 should be answered as "YES".

If the examined SEA not contain, at a minimum, the matters set out in Standard A2.1, paragraph 4(a)–(k) of the MLC, 2006, the questions 4.2 should be answered as "NO" and the nature of defect of the deficiency should be "Invalid", "Entries missing", "Not properly filled" or "Incorrect language" as appropriate.

Concerning questions 4.1 and 4.2, the PSCO should check that:

- All seafarers have an original or a copy of their SEA
- SEA are signed by both the seafarer and the shipowner or shipowner's representative and, at a minimum, contain the matters set out in Standard A2.1, paragraph 4(a)–(k) of the MLC, 2006, within the scope of the CIC, the PSCO should examine a representative number of SEA;
- Where the language of the seafarers' agreement and relevant parts of any applicable collective bargaining agreement are not in English, a translation in English should also be available on board.

Possible sources of information:

- The crew list;
- An original or a copy of the SEA (or other evidence of contractual or similar arrangements) and any applicable collective bargaining agreements for seafarers and, at a minimum, a standard form of the SEA (in English) for the ship;
- The DMLC Parts I and II.

5. If private recruitment and placement service has been used, does it meet the requirements of the MLC, 2006?

Standard A 1.4.paragraph 2 and standard A.1.4, paragraph 9 (def code 18104)

Private seafarer recruitment and placement services based in the territory of a State party to the MLC, 2006 shall be operated only in conformity with a standardized system of licensing or certification or other form of regulation (Standard A 1.4, paragraph 2).

Shipowners using services based in States not party to the MLC, 2006, must ensure, as far as practicable, that these services meet the requirements of the MLC, 2006 (Standard A1.4, paragraph 9).

In other words, private seafarer recruitment and placement services used by ships flying the flag of a Party to the MLC, 2006 shall meet the requirements of the Convention, whether the private seafarer recruitment and placement service concerned is based in a State party to the Convention or not.

Use of any licensed or certified or regulated private recruitment and placement service is part of appendix A5-III of the MLC, 2006 concerning general areas that are subject to a detailed inspection by an authorized officer in a port of a Member carrying out a port State inspection pursuant to Standard A5.2.1. Although the CiC is not a more detailed inspection the inclusion

of this item in the appendix mentioned indicates, that the Master/Shipowner should be able to in a simple way to clarify the situation and answer questions concerning private recruitment and placement service.

Licensed or certified or regulated means that the private seafarer recruitment and placement service has a license, a certificate or the State in which the service is based has issued laws or other provisions regulating the operation of such services.

Ships using a private seafarer recruitment and placement service based in a State party to the MLC, 2006

Since private seafarer recruitment and placement services situated in a State party to the MLC, 2006 can be operated only in conformity with a standardized system of licensing or certification or other form of regulation it would be an easy task for the Master of the ship to clarify the situation.

The DMLC Parts I and II may contain information on this matter. Unless there is evidence to the contrary, if the service is operating in a State for which the Convention is in force, this question should be answered "YES".

Ships using a private seafarer recruitment and placement service based in States not party to the MLC, 2006

The Master of the ship should clarify, how the shipowner has ensured that those services meet the requirements of this Standard. If it is not possible, the questions should be answered as "NO".

Ships not using a private seafarer recruitment and placement service

If the shipowner is not using a private seafarers recruitment and placement service, the box "N/A" shall be ticked off for question 5.

The PSCO should check that:

- Does the ship fly a flag of a State party to the Convention
- Does the ship use a private seafarer recruitment and placement service
- Does the shipowner use a private seafarer recruitment and placement service operating in a State for which the MLC, 2006 is in force; ;If a shipowner has used a private seafarer recruitment and placement service from a State that has not ratified the MLC, 2006, is there documentation available to indicate that the shipowner has ensured, as far as practicable, that the service or agency is operated in accordance with the MLC, 2006.

Possible sources of information

- National web sites of the competent authority regarding the licensing or regulation of seafarer recruitment and placement services (manning agencies).
- Documentation or other information allowed the inspector to ascertain the following:
 - Direct engagement seafarers were recruited and engaged by the shipowner;
 - Recruited through a public service;
 - Seafarers were engaged through a public seafarer recruitment and placement service in either the flag State or in another State to which the MLC, 2006, applies.
- If seafarers were engaged through a seafarer recruitment and placement service based in a country that has not ratified the MLC, 2006, documentation should be available to show that the shipowner has, as far as practicable, verified through a proper system that the service is operated consistently with the MLC, 2006. The shipowner's system may, for example, take account of information collected by the flag State, as well as any audits or certifications concerning the quality of services operating in countries that have not ratified the MLC, 2006.
- Other evidence which shipowners could provide might be checklists against the MLC requirements or an RO audit of a recruitment and placement service based in a country that has not ratified the MLC, 2006.
- The DMLC Parts I and II.

6. Are records of inspections of seafarer accommodation carried out by the master (or another designated person) available for review?

**Standard A 3.1. para. 18
(def code 18328)**

Frequent inspections have to be carried out on board ships, by or under the authority of the master, to ensure that seafarer accommodation is clean, decently habitable and maintained in a good state of repair.

The results of each such inspection shall be recorded and be available for review.

The PSCO should check that:

- Inspections of seafarer accommodation are being carried out by the master or another designated person and are recorded.

Possible sources of information:

- The on-board records to confirm that frequent inspections are carried out by or under the authority of the ship's master;
- The crew list for a comparison with the number of sleeping rooms and berths;
- The DMLC Parts I and II.

7. Are frequent inspections carried out by or under the authority of the master, with respect to supplies of food and drinking water, all spaces and equipment used for the storage and handling of food and drinking water, and galley and other equipment for the preparation and service of meals documented?

**Standard A 3.2 para. 7
(def code 18320)**

Frequent documented inspections have to be carried out on board ships, by or under the authority of the master, with respect to:

- supplies of food and drinking water;
- all spaces and equipment used for the storage and handling of food and drinking water; and
- galley and other equipment for the preparation and service of meals.

The PSCO should check that:

- Frequent and documented inspections of the food or water, or of the preparation, storage or handling areas, are being carried out;

Sources of information:

- The DMLC Parts I and II
- On-board records to confirm that frequent and documented inspections are made of:
 - supplies of food and drinking water;
 - spaces used for handling and storage of food and drinking water;
 - galleys and other equipment used in the preparation and service of meals

8. Has a ship's safety committee been established on board regarding ships on which there are five or more seafarers?

**Standard A 4.3. para. 2d
(def code 18430)**

A ship safety committee, shall be established on board ships with five or more seafarers.

The PSCO should check that:

- Are there five or more seafarers on board?
- A ship's safety committee has been established on board.

Possible sources of information:

- Relevant documents, such as the on-board occupational accident reports, and the reports of risk evaluations undertaken for the management of occupational safety and health on the ship;
- Documents specifying the authority of the ship's seafarers appointed or elected as safety representatives to participate in meetings of the ship's safety committee
- Documents evidencing membership and meetings of the safety committee (e.g. records and minutes of the meetings, etc.) if the ship has more than five seafarers.
- Relevant parts of DMLC part I reflecting how Standard A 4.3. para. 2d is transformed in national laws and relevant parts of DMLC part II explaining how Standard A 4.3. para. 2d is applied by the Company and the ship concerned.

9. For a ship not being required to carry a medical doctor, is there on board at least one seafarer, holder of a certificate of training in medical first aid or in medical care that meets the requirements of STCW?

**Standard A.4.1. para. 4c
(def code 18404)**

A qualified medical doctor responsible for providing medical care is required on board ships carrying 100 or more persons and ordinarily engaged on international voyages of more than three days' duration.

On board ships which do not carry a medical doctor shall be required either

- at least one seafarer on board who is in charge of medical care and administering medicine as part of their regular duties

or

- at least one seafarer on board competent to provide medical first aid.

Seafarers in charge of medical care on board shall have completed training in medical care that meets the requirements of STCW, 1978, as amended (Regulation VI/4).

Seafarers designated to provide medical first aid shall have completed training in medical first aid that meets the requirements of STCW.

Where training in medical first aid or medical care is not included in the qualifications for the STCW certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course of training in medical first aid or in medical care (STCW Regulation VI/4, paragraph 3).

However, STCW certificates of competency issued in accordance with regulations II/1, II/2, II/3, III/1, III/2, III/3, III/6 and VII/2 include the proficiency requirements in "medical first aid". Therefore, holders of mentioned certificates of competency are not required to carry Certificates of Proficiency indicating that the holder has attended a course of training in medical first aid (STCW Table B-I/2, Note 5).

The PSCO should check that:

- The ship is not required to carry a medical doctor;
- For ship not being required to carry a medical doctor, there is on board at least one seafarer in charge of medical care or designated to provide medical first aid;
- The seafarer in charge of medical care or designated to provide medical first aid has completed the relevant training according to STCW Regulation VI/4.

Possible sources of information:

- Documents (such as the SMD and crew list) to confirm that: where ships are not required to carry a medical doctor, they have at least one seafarer on board (who is trained and qualified to the requirements of STCW) to be in charge of medical care or is competent to provide medical first aid as part of their regular duties.
- STCW certificate of competency issued in accordance with regulations II/1, II/2, II/3, III/1, III/2, III/3, III/6 or VII/2.
- STCW certificate of proficiency indicating that the holder has attended a course of training in medical care in accordance with STCW Regulation VI/4, paragraph 3.
- STCW certificate of proficiency indicating that the holder has attended a course of training in medical first aid in accordance with STCW Regulation VI/4, paragraph 3.

10. Are all seafarers provided with a copy of on-board complaint procedures applicable on the ship?

**Standard A 5.1.5 para.4
(def code 01330)**

All ships shall have on-board procedures for the fair, effective and expeditious handling of seafarer complaints alleging breaches of the requirements of the MLC, 2006.

The on-board complaint procedures may be used by seafarers to lodge complaints relating to any matter that is alleged to constitute a breach of the requirements of the MLC, 2006 (including seafarers rights). Such procedures shall seek to resolve complaints at the lowest level possible. However, in all cases, seafarers shall have a right to complain directly to the master and, where they consider it necessary, to appropriate external authorities.

All seafarers shall be provided with a copy of the on-board complaint procedures applicable on the ship. This shall include contact information for the competent authority in the flag State and, where different, in the seafarers' country of residence, and the name of a person or persons on board the ship who can, on a confidential basis, provide seafarers with impartial advice on their complaint and otherwise assist them in following the complaint procedures available to them on board the ship.

The PSCO should check that:

- There is an on board complaint procedure;
- A copy of the on-board complaint procedures applicable on the ship has been provided to all seafarers;

Possible sources of information:

- The on-board complaint procedures applicable on the ship;
- Information from the Master regarding the on-board procedure in accordance with DMLC part 2 assuring that all seafarers have been provided with a copy of the on-board complaint procedures applicable on the ship.
- Any document outlining the on-board complaint procedures to confirm that the procedures are functioning on the ship, particularly with respect to the right of representation, the required safeguards against victimization and the ability of seafarers to complain directly to the ship's master or to an external authority;

11. Have all seafarers received monthly accounts of their payments due and amounts paid?

**Standard A2.2, para. 2
(def code 18203)**

All seafarers shall be paid for their work regularly and in full in accordance with their employment agreements. Payments due to seafarers shall be made at no greater than monthly intervals and in accordance with any applicable collective agreement.

Seafarers shall be given a monthly account of the payments due and the amounts paid, including wages, additional payments and the rate of exchange used where payment has been made in a currency or at a rate different from the one agreed to. Allotments⁴ shall be paid in accordance with the seafarer's instructions and charge for converting and transmitting currencies shall be in line with national requirements. (def code 18205)

Only one monthly account of wages shall be in use.

The PSCO should check that:

- Seafarer(s) has been given a monthly account of the payments due and the amounts paid, including wages, additional payments and the rate of exchange used where payment has been made in a currency or at a rate different from the one agreed to;

Possible sources of information:

- The SEA and documentation, such as the payroll records to confirm that wages are being paid at intervals no greater than one month as specified in their SEA or relevant collective agreements.
- Relevant documents to confirm the payment of wages including the requirement that a monthly account (such as a wage slip) is provided to the seafarers. Copies of individual accounts should be available to PSCOs at their request.

12. Has the ship detained as a result of the CIC?

Regarding the questionnaire, if the box "No" is ticked off for questions marked with an "**", the deficiency found should be considered as serious breach of the requirements of MLC and the ship may be considered for detention.

If the box "No" is ticked off for questions marked with an "***", and if the deficiency found is repeated (occure more than 1 time), the deficiencies found should be considered as a repeated breach of the requirements of MLC and the ship may be considered for detention.

If a ship as detained as a result of deficiencies found from the item listed in the questionnaire, PSCO's should respond "Yes" to question 12.

⁴

An allotment is an arrangement whereby a proportion of seafarers' earnings are regularly remitted, on their request, to their families or dependants or legal beneficiaries whilst the seafarers are at sea.

Annex 1.4 Inspections and Detentions per Flag State

Table Annex 1.4 Inspections and detentions per Flag State

Flag	# of inspections	# of detentions	Detention as a % of inspections	# of detentions CIC-topic related	Detentions CIC-topic related as a % of inspections	WGB- list* 2015
Albania	5	0	0.0%	0	0.0%	Grey
Algeria	4	0	0.0%	0	0.0%	Grey
Antigua and Barbuda	209	6	2.9%	1	0.5%	White
Azerbaijan	4	0	0.0%	0	0.0%	not listed
Bahamas	151	1	0.7%	0	0.0%	White
Bahrain	1	0	0.0%	0	0.0%	not listed
Barbados	19	0	0.0%	0	0.0%	White
Belgium	16	1	6.3%	0	0.0%	White
Belize	28	2	7.1%	2	7.1%	Black
Bermuda (UK)	18	1	5.6%	0	0.0%	White
Bolivia	1	0	0.0%	0	0.0%	not listed
Bulgaria	4	0	0.0%	0	0.0%	Grey
Canada	1	0	0.0%	0	0.0%	not listed
Cayman Islands (UK)	16	0	0.0%	0	0.0%	White
China	9	0	0.0%	0	0.0%	White
Comoros	17	4	23.5%	2	11.8%	Black
Congo, the Democratic Republic of the	25	11	44.0%	5	20.0%	not listed
Cook Islands	43	6	14.0%	2	4.7%	Black
Croatia	4	1	25.0%	0	0.0%	White
Curacao	10	1	10.0%	0	0.0%	Grey
Cyprus	131	4	3.1%	1	0.8%	White
Denmark	89	1	1.1%	0	0.0%	White
Dominica	1	0	0.0%	0	0.0%	Black
Egypt	2	0	0.0%	0	0.0%	Grey
Estonia	2	0	0.0%	0	0.0%	White
Faroe Islands	13	1	7.7%	1	7.7%	White
Finland	14	1	7.1%	0	0.0%	White
France	17	0	0.0%	0	0.0%	White
Georgia	1	0	0.0%	0	0.0%	not listed
Germany	23	0	0.0%	0	0.0%	White
Gibraltar (UK)	44	3	6.8%	0	0.0%	White
Greece	70	2	2.9%	0	0.0%	White
Hong Kong, China	149	1	0.7%	0	0.0%	White
India	4	0	0.0%	0	0.0%	Grey
Iran, Islamic Republic of	13	0	0.0%	0	0.0%	White

Flag	# of inspections	# of detentions	Detention as a % of inspections	# of detentions CIC-topic related	Detentions CIC-topic related as a % of inspections	WGB- list* 2015
Ireland	4	0	0.0%	0	0.0%	White
Isle of Man (UK)	40	0	0.0%	0	0.0%	White
Israel	2	0	0.0%	0	0.0%	not listed
Italy	62	1	1.6%	1	1.6%	White
Jamaica	1	0	0.0%	0	0.0%	not listed
Japan	17	0	0.0%	0	0.0%	White
Jersey (UK)	1	0	0.0%	0	0.0%	not listed
Kazakhstan	8	0	0.0%	0	0.0%	White
Korea, Republic of	5	0	0.0%	0	0.0%	White
Kuwait	1	0	0.0%	0	0.0%	Grey
Latvia	7	0	0.0%	0	0.0%	White
Lebanon	3	0	0.0%	0	0.0%	Grey
Liberia	314	9	2.9%	1	0.3%	White
Libya	3	0	0.0%	0	0.0%	Grey
Lithuania	4	0	0.0%	0	0.0%	Grey
Luxembourg	13	0	0.0%	0	0.0%	White
Malta	328	8	2.4%	2	0.6%	White
Marshall Islands	289	5	1.7%	1	0.3%	White
Micronesia, Federated States of	2	0	0.0%	0	0.0%	not listed
Moldova, Republic of	32	8	25.0%	3	9.4%	Black
Mongolia	1	1	100.0%	1	100.0%	not listed
Morocco	4	1	25.0%	0	0.0%	Grey
Netherlands	189	2	1.1%	1	0.5%	White
Norway	101	1	1.0%	0	0.0%	White
Palau	18	9	50.0%	4	22.2%	Grey
Panama	433	20	4.6%	6	1.4%	White
Philippines	13	1	7.7%	0	0.0%	White
Poland	8	1	12.5%	1	12.5%	Grey
Portugal	56	1	1.8%	0	0.0%	White
Qatar	2	0	0.0%	0	0.0%	not listed
Russian Federation	54	2	3.7%	1	1.9%	White
Saint Kitts and Nevis	24	6	25.0%	1	4.2%	Black
Saint Vincent and the Grenadines	41	3	7.3%	0	0.0%	Black
Saudi Arabia	5	0	0.0%	0	0.0%	White
Sierra Leone	19	4	21.1%	1	5.3%	Black
Singapore	130	5	3.8%	0	0.0%	White
Slovenia	1	0	0.0%	0	0.0%	not listed
Spain	10	0	0.0%	0	0.0%	White
Sweden	10	0	0.0%	0	0.0%	White
Switzerland	14	1	7.1%	0	0.0%	Grey

Flag	# of inspections	# of detentions	Detention as a % of inspections	# of detentions CIC-topic related	Detentions CIC-topic related as a % of inspections	WGB- list* 2015
Taiwan, Province of China	1	0	0.0%	0	0.0%	not listed
Tanzania, United Republic of	8	3	37.5%	1	12.5%	Black
Thailand	4	0	0.0%	0	0.0%	Grey
Togo	35	11	31.4%	1	2.9%	Black
Tunisia	2	0	0.0%	0	0.0%	Grey
Turkey	70	3	4.3%	0	0.0%	White
Tuvalu	6	1	16.7%	1	16.7%	Grey
Ukraine	9	2	22.2%	0	0.0%	Grey
United Arab Emirates	1	0	0.0%	0	0.0%	not listed
United Kingdom	79	2	2.5%	1	1.3%	White
United States	10	1	10.0%	0	0.0%	White
Vanuatu	19	2	10.5%	0	0.0%	Grey

* The official WGB-list of the Paris MoU is published in the Annual Report. The scope of this table is only the CIC.

Annex 1.5 Inspections and detentions per Recognized Organization

(Table Annex 1.5)

Table Annex 1.5 Inspections and detentions per Recognized Organization

Issuing authority	Inspection*	Detentions CIC-topic related with RO responsibility**
	533	
American Bureau of Shipping	152	
Bulgarian Register of Shipping	7	
Bureau Veritas	360	
China Classification Society	18	
Croatian Register of Shipping	4	
Det Norske Veritas	120	
DNV GL AS	466	
Dromon Bureau of Shipping	10	
Germanischer Lloyd	197	
Intermaritime Certification Services, ICS Class	6	
International Naval Surveys Bureau	20	
International Register of Shipping	18	
Korean Register of Shipping	28	
Lloyd's Register	408	
Macosnar Corporation	3	
National Shipping Adjuster Inc.	6	
Nippon Kaiji Kyokai	313	

Issuing authority	Inspection*	Detentions CIC-topic related with RO responsibility**
	533	
Novel Classification Society S.A.	2	
Overseas Marine Certification Services	7	
Panama Maritime Documentation Services	7	
Phoenix Register of Shipping	19	
Polski Rejestr Statkow (Polish Register of Shipping)	12	
RINA Services S.p.A.	65	
Russian Maritime Register of Shipping	100	
Shipping Register of Ukraine	13	
Venezuelan Register of Shipping	3	
Other	7	
Columbus American Register	1	
Cosmos Marine Bureau Inc.	1	
CR Classification Society	1	
Guardian Bureau of Shipping	1	
Indian Register of Shipping	3	
International Maritime Register	1	
International Ship Classification	3	
Iranian Classification Society	1	
Isthmus Bureau of Shipping, S.A.	1	
Maritime Bureau of Shipping	4	
Maritime Lloyd	1	
Mediterranean Shipping Register	1	
Panama Marine Survey and Certification Services Inc.	1	
Panama Register Corporation	4	
Panama Shipping Registrar Inc.	2	
Turkish Lloyd	1	

* Number of inspections where the certificate is recorded as issued by the RO

** Number of inspections where the RO issued the certificate and a deficiency covered by that certificate was recorded as detainable and RO related