

Preamble.

The Professional Yachtsmen's Association is to assist members of the International Labour Organisation to assess the impact of the Maritime Labour Convention 2006 on yachting.

In order to develop this brief PYA has worked closely with the Super Yacht Builders (SYBAss) and the International Council of Marine Industry Associations (ICOMIA).
The ILO have also been given the opportunity to review it.

Please find below the parameters to be used for the quantitative study to measure the impact of applying MLC crew space standards to yachts, as demonstrated on a range of existing yacht designs.

Unfortunately, nobody at ILO was thinking about yachts when this Convention was being written. The ILO has since given us this opportunity to show them graphically (and in consequence dramatically), what are some of its unintended consequences. The outcome may even show in some cases that in order to accommodate the number of crew required to run a particular yacht, if they were all housed in MLC standard accommodation the owner would have to move ashore. This study is immunized against any charge of exaggeration, as it merely applies that which is written in MLC 2006

During the drafting of these parameters floor space, as referred to in the Convention and as understood at the time, has been a difficult issue with which to grapple. In regard to a rectangular box-shaped crew cabin it is an easy exercise in draughtsmanship to delineate the required space and then sketch within it the bunk, desk and locker outlines. It is recognized that the issue is more complicated within the irregular bounds of a cabin in the fore part of a yacht, where the outboard boundary is flared and the forward bulkhead may be narrower than the aft bulkhead. There have been proposals by some participants about "interpreting" floor space dimensions by measuring a "nominal" floor area at a value less than prescribed in the convention. Such an arbitrary approach could leave an actual floor space in which there would hardly be standing room. Further, there is no provision in the Convention for such interpretation. Accordingly, the safe course chosen for this quantitative study was to apply ILO floor area provisions entirely at standing floor level.

As a direct result of the ILO's fact-finding visit to the South of France organised by the PYA in early April, the issue of floor space has been further clarified. In light of this, the need for all those parties involved in the quantitative study is to apply the MLC rules within the MLC's primary intent to provide comfort and privacy for seafarers. Parameter 5 below now directly reflects the ILO's current position.

Many thanks to all this missive's original addressees, and to all further recipients to whom this may be disseminated for their participation, for cooperating in this important effort to demonstrate, in an unarguable and objective manner, the effect of applying MLC crew space standards to yachts, both motor and sail.

Rod Hatch
PYA Council Member
20th April 2010

Quantitative study of the impact of MLC 2006 on yacht interiors:

The Brief:

Aim.

At the request of the ILO, the PYA is coordinating a quantitative study on yacht designs. The exercise is aimed at providing an objective measure of the impact on guest accommodation when the Maritime Labour Convention 2006 crew accommodation standards are applied in full on yachts. The results of this study will be compiled and presented to ILO in July 2010.

Parameters

- 1) The study applies to motor and sailing yachts of all sizes, and refers to MLC Standard A3.1.9.
- 2) The study will apply to existing designs, so that we are presenting to the ILO real examples of before-and-after MLC crew spaces. If your chosen specimen design is of an MCA-approved yacht, so much the better.

The study will then show the impact of MLC on a yacht which has been previously recognized by a serious Flag State as being safe for passengers and crew, and adequate for crew living conditions.

3) The study will not be based on the Minimum Manning Scale which may apply to any given yacht. The ILO needs know the impact of MLC crew areas on the actual, real world, empirical number of crew required to operate a yacht, not the effect on a theoretical minimum number. Accordingly, include the same number of crew berths as in the original vessel design.

4) Choose a yacht that you know or can find out how it is actually manned – how many officers, how many other seafarers.

5) Headroom is not an issue for this study. Area is our only concern here. All studies will be based at floor level. However, to meet the rules and at the same time to accommodate the issue of typical flare in the forward section of yachts, the bunk areas may be considered as part of the total floor area, so may be deducted from the floor area. So cabin floor area should include the space occupied by the projected plan view of the berth, lockers, chest of drawers and seats inside the cabin linings. The intent is that any reasonable person would determine that the remaining floor space would be adequate to provide the intended comfort and privacy for the occupants. The study should incorporate this very recent ILO guidance (received 7 April 2010). So in this case, having deducted the bunk areas, you should apply to your cabin floor layout such questions as: is the floor space for standing on sufficient that the occupant(s) may stand and move freely; do they still have the required locker space; are they able to access their locker easily; can one person sit at the desk in comfort: can the occupants change in and out of uniform without balancing on one leg; and so on.

Note that the required total area is not reduced, but this guidance will make compliance far more practicable.

6) Fitting MLC compliant crew quarters in an existing hull envelope would ultimately call for revised watertight subdivision and logistics (stairwells, elevator trunks, ducting etc). However the main aim here is to assess the approximate loss of space as a result of the MLC requirements for crew quarters and not to produce fully LY2 compliant plans. So at this stage ignore subdivision requirements and logistics. Also please note that only the MLC consequences on the deck with the crew quarters needs to be shown.

7) Do not attempt to address the “no sleeping accommodation under the load line” issue. Carry out the study at the existing floor level for the crew accommodation in your chosen real-world example.

8) Any cabin which is occupied by a single seafarer other than an officer is to be of a minimum 4.5 sq.m. Where two seafarers share a cabin, the area should be increased to 7 sq.m. Toilet and shower facilities must not be included within this area. (There should consequently be no problem with bunk sizes or storage space).

9) Any cabin which is occupied by a single officer is to be of a minimum 7.5 sq.m. If two officers share a cabin, the area should be doubled to 15sq.m. Toilet and shower facilities must not be included within this area. (There should consequently be no problem with bunk sizes or storage space).

10) If any berth in any given cabin is dedicated to an officer, and it is a shared cabin, then the shared cabin floor area shall be 15m². (This follows industry practice as mentioned by Peter McEwen during the MCA LY2 Sub Group meeting in February this year).

11) For this study apply MLC B3.1.5.7 where practicable, and if impracticable ignore it. Although the intent is to comply with the Guidelines in this study, if the outcome of complying with MLC B3.1.5.7 is that in any given crew cabin the occupant of the a thwart-ship berth would be sleeping with his head in the crew alleyway or his feet protruding through a hole cut in the hull, it would be reasonable for Class, Flag State or ILO to waive this particular Guideline.

12) Whether the Captain lives below main deck level (as in e.g. Sunseekers or Mangustas) or up in the superstructure, his space must be of a minimum 7.5 sq.m. Toilet and shower facilities must not be included in this area.

13) The MLC standard is that a maximum of 6 persons may share toilet or bathroom facilities. However, the modern norm in yachts is (en suite) facilities for a maximum of 2 persons. Accordingly, all toilet and shower facilities in this study will be shared by a maximum of two persons. They may be “en suite” in terms of access, but must be situated outside the delineated sleeping areas. Use an average floor area for the toilet/shower facilities, based on whatever facilities are included in your chosen original design. (The fact that the floor area for these facilities will vary from example to example will reflect the real-world situation which we want to present to ILO).

14) Crew mess area is to follow Guideline B3.1.6, which requires at least 1.5 sq m per person of the planned seating capacity. If the area of the crew mess in your chosen existing design already exceeds this minimum, do not reduce it, because it has already been accepted as "adequate". There is no need to show any seating arrangement or other furnishings, just include the appropriate blank space.

15) Deal with any 3,000-plus gt design as for a non-SOLAS yacht. Take the number of crew berths in the original design, and re-allocate those berths in all single occupancy cabins. All such cabins for seafarers must have a minimum floor area of 5.5m². All such cabins for officers will have a floor area of 8.5m².

16) For the purposes of this study, let the radio room be nominated as the ship's office if fitted with a door. If there is no radio room, another space would need to be provided, which on the Mangusta-type yachts may be a further challenge below the main deck.

17) Observe the following colour coding of spaces Crew Cabins: dark red (or crossed red shading) Crew Shared areas: light red (or single red shading) Guest Cabins: dark blue (or crossed blue shading) Guest Shared areas: light blue (or single blue shading) Yacht's operational Spaces: grey (or crossed grey shading)

"Crew shared areas" means spaces such as the crew mess. It does not refer to double-occupancy cabins. Likewise with guest spaces, where "shared areas" refers to lounges, dining salons, and so on.

18) Submissions should clearly show any impact on guest accommodation before and after MLC application in 3 ways.

1. On the GA using the colour code in 17 above.

2. Before and after MLC changes to both guest and crew accommodation in square meters. 3. Before and after MLC changes of both guest and crew accommodation as a percentage.

In order to standardise submissions please list the following information on them:

1. The Total Interior Accommodation (TIA) This is the combined total interior guest and crew areas on board in square meters (M²). This is to exclude any technical areas crew work in. Take this value as 100% when calculating other percentages.

2. Total Crew Cabin Area before MLC in square meters (M²) 3. Total Crew Cabin Area before MLC as a percentage of TIA.

4. Total Crew Cabin Area after MLC in M².

5. Total Crew Cabin Area after MLC as a percentage of TIA.

6. The difference between 2 and 4 in M²

7. Based on TIA, the percentage difference between 2 and 3 8. Total Crew Shared Areas before MLC in M².

9. Total Crew Shared Areas before MLC as a percentage of TIA 10. Total Crew shared areas after MLC in M².

11. Total Crew shared areas after MLC as a percentage of TIA.

12. The difference between 8 and 10 in M².

13. Based on TIA, the percentage difference between 8 and 10.

14. Total guest area before MLC in M²

15. Total guest area before MLC as a percentage of TIA.

16. Total guest area after MLC in M².

17. Total guest area after MLC as a percentage of TIA.

18. The difference between 14 and 16 in M².

19. Based on TIA the percentage difference between 14 and 16.

19) Please submit all completed studies, in A3 sized PDF format.

20) Final date for submissions is 30/06/2010.

21) It is understood that submissions will not name the example yachts and that Client Confidentiality will be respected. However it is asked that your contact details are clearly stated on all PDFs submitted so that a complete list of credits can be presented to ILO as part of this study.

22) Submit to info@pya.org, subject 'ILO Quantitative Study'.

Rod Hatch
20th April 2010

Notations:

(i) It is expected and accepted that the effect of re-drawing the crew spaces to MLC specifications will differ between yachts of the same size, according to the hull and profile design chosen by any given designer, and according to the requirements of any given owner.

(ii) referring to paragraph (6) above, one may expect that subdivision and logistic constraints are likely to cause further loss usable space and this will be mentioned when the results of the analysis are presented to ILO.

(iii) As an example, one yard will apply this study to a design which is in build at this time. The vessel is a 55m motor yacht. Apart from the captain, all crew will be conventionally accommodated below main deck and up forward. There are double cabins for two deck officers (First and Second Officers as per proposed MCA definitions), two engineers (Chief and Second as per proposed MCA definitions), and eight other deck and interior crew classed as "seafarers". The yacht is being built to LY2 Code. A very preliminary study shows that application of MLC crew areas will have a significant impact on guest spaces. This completed study will be included with the final package to be submitted to ILO.

(iv) The ILO is particularly concerned to know at what size, approximately, MLC crew spaces will not impact guest areas – 600 gt? 700 gt? 800? 1,000 gt?

(v) This study is limited to interior spaces. Standard A3.13 relates to deck space for crew. It is proposed to include a reference to this requirement in the covering letter that will accompany the studies to be submitted to the ILO. Foredeck areas could be nominated as "crew area".

(vi) In calculating the square meters of crew accommodation required, MCA officer definitions should be applied. The MCA proposed position regarding officers on yachts is as follows:

Accommodation in accordance with A3.1.9.(l) (officer sleeping accommodation) should be provided for every seafarer who holds one of the following certificates

*Master /Officer of the Watch Certificates listed in section 11 of MSN 1802; *Chief Engineer III/2 (Yacht 1, 2 or 3) or III/3 (Yacht 4) as specified in 1.7 of MGN 156;

and is on board in the capacity of either

*Master

*Chief Officer,

*Officer of the Watch, or

*Chief Engineer

*Second Engineer (as specified in 26.2.8 or 26.2.9 of the LY2 Code)