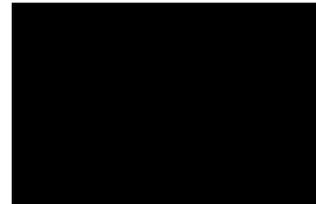




Maritime &
Coastguard
Agency



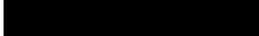
National Oceanography Centre
European Way
Southampton
SO14 3ZH

Dear 



Your ref:
Our ref:

DMLC PART II - NMF SEA SYSTEMS

Thank you to you and  for taking the time to meet with  and myself on Tuesday to discuss the status of the technicians, scientists and contractors carried on board your vessels from time to time.

The discussion centred around the MLC.2006 definition of a seafarer and whether the individuals fulfilling the tasks associated with the above roles are to be included or excluded from this definition.

It was noted that the above do not have an emergency duty but they do have valid ENG1s and have completed PST training.

We concluded that scientists, undergraduates and employed contractors would be considered as "transitional seafarers" and that they would have an equivalent level of protection as required for seafarers under the MLC.2006.

Furthermore, we concluded that self employed contractors would also be considered as transitional seafarers and the contractual agreement between them and NMF would set out the arrangements for MLC.2006 compliance.

Transitional seafarers should be included in the list of crew.

The following criterion was used in arriving at this decision:

- The duration of the stay on board of the individual.
- The frequency of the periods spent on board.
- The location of the individual's principal place of work.
- The purpose of the individual's work on board.
- The protection that would normally be available to the individuals concerned with respect to their working and living conditions.



HM Coastguard



INVESTORS
IN PEOPLE



A statement regarding this arrangement should be included in your Declaration of Maritime Labour Compliance – Part II (DMLC-part II) which is reviewed and signed by a MCA surveyor.

Yours faithfully

