



MONGOLIA MARITIME ADMINISTRATION

Lagshan Center, Prime Minister Amar street,
Sukhbaatar district, Ulaanbaatar 14200, MONGOLIA
Tel: (976-51) 26 14 89, 26 14 90, (976-11) 31 06 42
E-mail: info@monmarad.gov.mn
Website: www.monmarad.gov.mn

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Marine Circular No 01/318/2024

SUBJECT: Guidelines on Health and Safety Protection and Accident prevention

APPLICATION

This Marine Circular is applicable to shipowners, operators, seafarers, management companies, agents, recognized organizations of the Mongolian-flagged ships and other relevant stakeholders.

PURPOSE OF THE CIRCULAR

The marine circular provides guidance on health, safety protection and accident prevention on board Mongolian-flagged ships.

REFERENCES

- Regulation 4.3 of the MLC, 2006;
- Article 20 of the Maritime Law of Mongolia;

TERMS

An accident is an event, or a sequence of events that has resulted in any injury to a person or any damage to the ship, which have occurred directly in connection with the operations of a ship.

Damage to the ship includes, but is not limited to, any of the following: any fire or explosion; the collapse or bursting of any pressure vessel, pipeline, or valve, or the accidental ignition of anything in a pipeline; the collapse or failure of any lifting equipment, access equipment, hatch cover, staging, bosun's chair, or any associated load-bearing parts; the uncontrolled release or escape of any harmful substance or agent; and any collapse or unintended movement of cargo sufficient to cause a list or loss of cargo overboard.

1. GENERAL REQUIREMENT

1.1. The shipowner shall ensure that seafarers working on board Mongolian-flagged ships are provided with occupational health protection and live, work and train on board ship in a safe and hygienic environment. In fulfilling this responsibility, the shipowner must implement reasonable precautions to prevent occupational accidents, injuries, and diseases on board. This involves taking measures to minimize the risk of exposure to harmful ambient factors, such as noise and vibration, as well as to chemicals. Additionally, the shipowner should address risks associated with the use of onboard equipment and machinery to further reduce the potential for injury or illness.

1.2. The shipowner must adhere to the following principles in managing health and safety responsibilities:

- prioritize the safety of life and the vessel;
- avoid risks whenever possible;
- evaluate and mitigate unavoidable risks;
- implement work practices that minimize adverse effects on seafarers' health;
- adapt procedures to accommodate new technology and changes in working conditions;
- maintain a coherent management approach to the vessel.

1.3. The shipowner has overall responsibility for health and safety on the vessel. When there are seafarers and other personnel on the vessel who are not employed by the shipowner (such as dive technicians, cable maintenance engineers, etc.), the shipowner must:

- consult with other employers or self-employed persons regarding all health and safety arrangements and risk assessment requirements;
- coordinate arrangements to protect all persons employed on board and prevent risks to their health and safety;
- ensure, as far as practicable, that all persons employed on board are informed of the health risks present on the ship and any coordination arrangements in place.

1.4. The shipowner must ensure that occupational health protection must be provided at no cost to the seafarer.

2. HEALTH AND SAFETY MEASURES

The shipowner shall implement the following health and safety measures:

2.1. Establish, maintain, and periodically revise a general health and safety policy, which shall be accessible to all seafarers.

2.2. Ensure the provision of necessary and relevant information, instruction, training, and supervision for all seafarers.

2.3. Conduct health surveillance as appropriate, considering the risks identified in the risk assessment.

2.4. Make appropriate arrangements, having regard to the nature of the activities, for the effective planning, organization, control, monitoring and review of preventative and protective measures.

2.5. Shall ensure that seafarers are restricted from accessing any area of the ship where entry is limited for health or safety reasons unless they have received adequate training or instruction appropriate for entering that area.

2.6. Maintain an environment for persons on board the ship that is safe and without risk to health;

2.7. Collaborate with others who employ persons on board the ship at any time who are engaged in loading or unloading activities to protect the health and safety of all persons on board the ship.

3. SEAFARERS AND EMPLOYEES

It is the responsibility of all persons employed on board the ship to:

3.1. Take care of their own health and safety and that of others on board who may be affected by their acts or omissions.

3.2. Cooperate with the shipowner in carrying out health and safety duties.

3.3. Inform the master of any matter which has come to their attention which they consider to be a risk to health and safety.

3.4. Make proper use of any personal protective equipment provided for their use.

3.5. Use any machinery, equipment, dangerous substance, safety device or other equipment provided on the ship in accordance with the instructions provided for its use and follow the training and instruction provided by the shipowner.

4. DUTIES OF THE MASTER AND SHIPOWNER

4.1. Master/Shipowner shall have the responsibility for the implementation of and compliance with the ship's occupational health and safety policies and programs.

4.2. All accidents or incidents should be thoroughly investigated by the master in order to determine the root causes. Following the investigation records have to be maintained which as a minimum must contain the following:

- The date, the persons involved and the nature of the injuries suffered;
- all statements made by any witnesses;
- Recommendations to prevent future similar accidents or incidents. These records shall be made available on request to any safety representative and the Mongolia Maritime Administration.

4.3. The master/shipowner shall provide an access to any necessary information including relevant legislation or marine circulars;

4.4. Seafarers on the vessel must direct any health and safety complaints to the master, who is then required to investigate the complaint.

4.5. Master must maintain a record of any complaints that have been investigated. These records shall be made available on request to any safety representative and the Mongolia Maritime Administration.

4.6. Master shall make representations to the shipowner about any deficiency in the ship relating to the ships occupational health and safety policies and programs.

4.7. Master/Shipowner must proactively ensure safety awareness by enforcing adherence to safety instructions for machinery, life-saving equipment, and firefighting gear; halting any potentially hazardous work and notifying the shipowner; conducting familiarization training for all new seafarers;

4.8. Master/Shipowner shall pass on information regarding any hazards on board the ship

4.9. Master/Shipowner must make sure that when the vessel is carrying hazardous cargoes information concerning the hazards, their location and any necessary safety precautions is to be readily available. The information should also be prominently displayed in appropriate locations.

5. SAFETY REPRESENTATIVE

5.1. On every ship in which there are five or more seafarers a safety representative shall be either elected or appointed.

5.2. If safety representatives are to be elected, the shipowner must establish the election rules, and the seafarers on the vessel will then elect the safety representatives.

5.3. For vessels with 16 or more seafarers a safety representative must be elected or appointed for each department and as a minimum this must include a safety representative for the deck and engine departments.

5.4. A safety representative may only be elected or appointed if they have at least 2 years of sea service, including a minimum of 6 months of sea service on tankers if serving on tankers.

5.5. The safety representative may carry out the following:

- With the master's permission, participate in their investigations or inspections, or, after notifying the Master, conduct similar investigations or inspections independently, even if the master has already performed them.
- On behalf of the seafarers, they represent and regarding matters affecting their occupational health and safety, the safety representative should consult with the Master, make recommendations, including suggesting the suspension of work that may cause accidents, and request through the safety committee an investigation by the master of any health and safety concerns.

- Inspect any of the records required to be kept by the master or an accident report required to be submitted to the Mongolia Maritime Administration, and attach any comments they consider necessary.

6. SAFETY COMMITTEE

6.1. A safety committee must be established on any ship with five or more seafarers employed.

6.2. The Master must appoint the safety committee, which will include the Master as chairman, the safety representative(s). The committee must meet at least every 6 weeks, and its appointment must be recorded in the official log book.

6.3. Safety committee are required to:

- make representations and recommendations on behalf of the seafarers to the shipowner on matters affecting the occupational health and safety of seafarers;
- inspect any of the records required to be kept by the master;
- ensure the vessel's occupational health and safety policies and programmes are observed, and make recommendations for their improvement;
- consider and take any appropriate action in respect of any occupational health and safety matters affecting the ship and its seafarers;
- keep a record of the minutes of the meeting which shall include: any conclusions made, any representations made to the Master or the safety committee, any replies made, and any actions that follow;
- ensure that any conclusions reached on matters of safety are followed up.

7. PERSONAL PROTECTIVE EQUIPMENT (PPE)

7.1. Personal protective equipment includes safety helmets, gloves, eye protection, respirators, high-visibility clothing, safety footwear and safety harnesses.

7.2. If risks on the ship cannot be eliminated or sufficiently managed through other measures, the shipowner is required to provide personal protective equipment (PPE) to the seafarers at no cost to them.

7.3. The correct type of PPE must be:

- appropriate for the tasks being performed and for the risks to which the person is exposed;
- a suitable size for the person who is to use it;
- manufactured to an appropriate international standard, for example it could be 'CE' marked which signifies that the PPE satisfies certain basic safety requirements and, in some cases, will have been tested and certified by an independent body;
- practical and effective, taking into account any constraints imposed by the place of work;
- compatible with any other equipment which the seafarer has to use at the same time.

7.4. PPE carried on board ships for shared use must be stored in an easily accessible and clearly marked location, maintained in a hygienic condition, and regularly inspected, repaired, and maintained as necessary.

7.5. In all cases PPE must adequately control the risks involved without increasing the overall level of risk.

7.6. PPE must be properly stored and maintained in accordance with the manufacturer's instructions which shall include recommended replacement periods and shelf life. Its correct operation shall be checked at the intervals recommended by the manufacturer.

7.7. PPE must be in the case of respiratory protection equipment designed to protect against hazards including dust, toxic materials and atmospheres and lack of oxygen.

7.8. PPE shall be inspected and its operation confirmed both before and after use.

7.9. The shipowner must provide instructions and appropriate training in the use of PPE to ensure seafarers know how to use it properly. Anyone using PPE must be aware of why it is needed, when it shall be used, repaired or replaced and its limitations. All reasonable steps shall be taken by the shipowner to ensure that protective equipment that has been provided to

seafarers is used correctly. There is also an obligation on seafarers who have been provided with PPE to use it in accordance with any training, instruction, or operating instructions with which they have been provided.

8. HEALTH AND SAFETY TRAINING

8.1. When assigning tasks to seafarers, the shipowner must consider each seafarer's health and safety capabilities to ensure that the tasks assigned do not exceed the seafarer's ability to perform them safely, thereby minimizing the risk of harm to themselves and others.

8.2. Shipowner is responsible for providing seafarers with sufficient and suitable health and safety training and instruction. This training doesn't have to be formal or classroom-based; it can include practical instructions on what actions to take or avoid, as well as sharing information to ensure that seafarers can perform their tasks safely.

8.3. Seafarers must receive training and instruction on health and safety before they are assigned any duties on the ship. This training is separate from and in addition to the familiarization training mandated by the International Maritime Organization's Standards of Training, Certification, and Watchkeeping Convention.

8.4. Training and instruction are also required when seafarers face new or increased risks due to a transfer or change in responsibilities, the introduction or modification of equipment, new technology, or changes in shipboard practices or work systems.

8.5. Training shall be repeated periodically as needed, adapted to address any new or changed risks to seafarers' health or safety, and conducted during their working hours.

9. RISK ASSESSMENT

9.1. The shipowner must ensure, as far as reasonably practicable, the health and safety of seafarers on board by applying the principles of risk avoidance and evaluating and minimizing any unavoidable risks.

9.2. There must be a thorough assessment of any health and safety risks that seafarers might face during their regular duties or any shipboard activities. This evaluation is necessary to ensure that all potential risks are identified and addressed.

9.3. Risk assessment must be conducted to identify which seafarers are particularly at risk while performing their duties. The assessment helps determine the likelihood and severity of potential problems. With this information, the shipowner can then focus on implementing measures to eliminate or reduce these risks.

9.4. Following the risk assessment, the shipowner must record and share any significant findings with seafarers and implement any necessary changes to procedures or practices identified by the assessment.

9.5. Risk assessment must be reviewed if there is reason to believe it is no longer valid or if there has been a significant change in the relevant circumstances. Any necessary changes to procedures or practices identified during the review must be implemented.

9.6. Risk assessment involves a thorough examination of potential hazards to determine whether existing precautions are sufficient or if additional measures are needed. The goal is to reduce accidents and health issues on board the ship.

9.7. Risk assessment should be conducted by someone experienced in the tasks being evaluated. For instance, a risk assessment for working at heights might be performed by the Chief Officer. Similarly, a risk assessment related to machinery operations could be handled by the Chief Engineer.

9.8. While there are no strict guidelines for conducting a risk assessment, any significant findings must be documented and made accessible to seafarers on the vessel.

10. HEALTH SURVEILLANCE

10.1. The goal of health surveillance is to detect early signs of illness related to occupational hazards, allowing for timely interventions to protect seafarers from further harm.

10.2. Effective health surveillance can be achieved through procedures such as inspecting for skin damage after chemical work, issuing health questionnaires to assess symptoms, conducting periodic tests like hearing and lung function evaluations, and performing comprehensive medical examinations beyond those required for seafarer medical certificates.

10.3. Health surveillance is valuable because it provides additional information to safeguard seafarers from illnesses caused by on-board health risks. This helps manage risks more effectively and allows for the evaluation of the effectiveness of existing control measures.

10.4. Health surveillance should not replace or be considered a substitute for implementing proper risk control measures. Instead, it should be used in conjunction with other measures to manage health and safety risks effectively.

10.5. When a risk assessment reveals potential long-term health risks for seafarers, additional measures such as health surveillance must be implemented, particularly in cases where seafarers are working with hazardous chemicals, substances that may cause lung disease, in high noise environments, with machinery producing vibration, or with asbestos or lead.

10.6. Health surveillance can be conducted through several methods:

- Seafarers monitoring themselves for signs or symptoms of ill health, with proper training on what to look for and whom to report to.
- The shipowner requiring seafarers to regularly complete health surveys.
- For specific hazards, clinical examinations may be performed by an occupational health professional, such as a doctor or a trained nurse.

10.7. Seafarers should be provided with the results of any health surveillance conducted, and their individual health records, including clinical information, must be kept confidential.

Any inquiries or requests regarding this marine circular should be directed to Mongolia Maritime Administration (E-mail address: info@momarad.gov.mn)

This Marine Circular will enter into effect as of 08 August 2024

Sincerely Yours,



ULZIIJARGAL YURA
ACTING DIRECTOR-GENERAL
MONGOLIA MARITIME ADMINISTRATION