

<b>GENERAL INFORMATION</b>	
<b>KEYWORDS</b>	Marine medical certificate, hernia
<b>FILE NO.</b>	MH-0063-21
<b>SECTOR (Marine or Aviation)</b>	Marine
<b>SPECIFIC JOB</b>	Unemployed
<b>DIAGNOSIS (Primary, Secondary, etc.)</b>	Herniated disk
<b>REVIEW</b>	
<b>DATE OF DETERMINATION</b>	June 20, 2011
<b>MEMBER</b>	Dr. Trevor Allan Gillmore
<b>DETERMINATION</b>	The member confirms the Minister of Transport's decision to refuse to issue the applicant a marine medical certificate.
<b>REASONS FOR DETERMINATION</b>	
<p>Refusal to issue a marine medical certificate (MMC) — The applicant was assessed as “unfit” to hold an MMC due to the applicant’s current medical status which rendered him incapable of performing certain duties required by the <i>Marine Personnel Regulations (MPRs)</i>. According to the evidence, the applicant is incapable of lifting the required 22 kg, pursuant to subsection 270(1) of the <i>MPRs</i>, and does not possess the agility and physical strength to undertake firefighting activities. The applicant acknowledged that his present physical state was not suitable for the work of a seafarer, and that it was important to meet those requirements. The applicant was advised by the witness for the Minister of Transport (Minister) that once the applicant receives a report from his health practitioners indicating that he is fit to go back to work, his MMC could be reinstated. The Minister’s decision to refuse to issue an MMC is confirmed.</p>	
<b>APPEAL</b>	
<b>DATE OF DECISION</b>	
<b>MEMBERS</b>	
<b>DECISION</b>	
<b>REASONS FOR THE DECISION</b>	
<b>OTHER/COMMENTS</b>	