MARINE SAFETY ADVISORY No. 29-16

To: Owners/Operators, Masters, Nautical Inspectors, Recognized Organizations

Subject: 2014 AMENDMENTS TO THE MARITIME LABOUR CONVENTION, 2006

Date: 02 September 2016

The 2014 amendments to the Maritime Labour Convention, 2006 (MLC, 2006) will enter into force 18 January 2017. They are financial security for seafarers in the event of abandonment (Standard A2.5.2); and financial security to assure compensation in the event of a contractual claim involving death or long-term disability (Standard 4.2).

What this means for the ship operator to which MLC, 2006 applies is that on or before 18 January 2017 two (2) certificates issued by the provider of financial security (P&I Club or insurer) will need to be posted in a conspicuous place aboard the vessel. The certificates are inspectable items for Port State Control (PSC). Also inspectable are the Declaration of Maritime Labor Compliance (DMLC) Part 1 and DMLC Part 2.

The Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) is in the process of implementing these new requirements as well as the International Group of Protection & Indemnity (IG P&I) Clubs. However, there are still some logistical issues to be addressed and full implementation, including issuance of the new certificates, is not expected until later this autumn.

Nonetheless, RMI vessel operators should begin initiating conversations with their P&I Club(s) or insurer(s) to make certain that coverage is obtained for these liabilities.

While the DMLC Part I and Part II will need to be amended, the Administrator does not envision changes to existing DMLCs prior to 18 January 2017, provided that evidence of compliance with the new requirements (i.e., documents evidencing liability insurance coverage) is posted on board as required. The Administrator would then expect that the DMLCs are amended at the earliest opportunity, but no later than the first MLC, 2006 intermediate or renewal inspection due after 18 January 2017.

The Administrator is in the process of amending its regulations to address the new requirements and will issue a Marine Notice implementing the 2014 amendments in due course. The
Administrator also plans to notify the various PSC Memorandums of Understanding (MoUs) on its policy so that there are no surprises or misunderstanding.

Any questions or concerns about the 2014 MLC, 2006 amendments or the Administrator’s implementation of them should be directed to: Regulatoryaffairs@register-iri.com.