



Kiribati Ship Registry

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MARINE CIRCULAR No. 23/2013

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TO : Ship Owners, Managers, Charterers, Ship Master and the Shipping Community

SUBJECT : Implementation of Maritime Labour Convention, 2006

This Circular is to notify the shipping community of the implementation of the International Labour Organisation's (ILO) Maritime Labour Convention, 2006 (MLC 2006) which will enter into force on 20 August 2013 since adoption in 2006.

The ILO's Maritime Labour Convention, 2006 (MLC 2006) provides comprehensive rights and protection at work for seafarers and covers conditions of employment, hours of work and rest, accommodation, recreational facilities, food and catering, health protection, medical care, welfare and social security protection. Parties to the treaty must ensure that ships flying their Flag meet the 'decent work' requirements set out in the Convention, and certify that those ships comply with the requirements relating to labour conditions. The Convention aims to achieve both decent work for seafarers and secure economic interests in fair competition for quality ship owners. The new labour standard consolidates and updates more than 68 international labour standards related to the Maritime sector adopted since 1920.

The Convention has been designed to become a global instrument known as the "fourth pillar" of the international regulatory regime for quality shipping, complementing the key Conventions of the International Maritime Organization (IMO), namely SOLAS, STCW and MARPOL.

The Convention comprises three different parts: the Articles, the Regulations and the Code. The Articles and Regulations set out the core rights and principles and the basic obligations of members ratifying the Convention. The Code contains the details for the implementation of the Regulations. It comprises Part A (Mandatory Standards) and Part B (Non-mandatory Guidelines). The Regulations and the Code are organized into general areas under five Titles:

- Title 1 : Minimum requirements for seafarers to work on a ship;
- Title 2 : Conditions of employment;
- Title 3 : Accommodation, recreational facilities, food and catering;
- Title 4 : Health protection, medical care, welfare and social security protection;
- Title 5 : Compliance and enforcement

This Convention applies to all seafarers except as expressly provided in the Convention and to all ships, whether publicly or privately owned, ordinarily engaged in commercial activities, other than ships engaged in fishing or in similar pursuits and ships of traditional build such as dhows and junks. This Convention does not apply to warships or naval auxiliaries.

The Regulations on Maritime Labour Certificate and Declaration of Maritime Labour Compliance is applicable to the following ships:

- (a) 500 gross tonnage or over, engaged in international voyages; and
- (b) 500 gross tonnage or over, flying the flag of a Member and operating from a port, or between ports, in another country.

Please refer to the following procedures as a guide to MLC 2006 certification:

- a) Please download the Application Form for the issuance of Declaration of Maritime Labour Compliance (DMLC) Part I and Part II from our website at <https://kiribaship.com/form>. DMLC Part I may also be applied on-line through our KRIS module here: <https://kiribaship.com/registry>
- b) With the DMLC Part I requirements mentioned on the Application Form, the ship owner has to carry out a gap analysis of the vessel and Company policies and advise whether there are any substantial equivalencies or exemptions that the Kiribati Ship Registry is required to consider and grant to the vessel. The completed DMLC Part I Application Form with vessel's particulars and request for any equivalencies or exemptions is to be submitted to the Kiribati Ship Registry.
- c) Upon receiving the ship owner's submission of completed DMLC Part I Application, our Kiribati Ship Registry will consider ship owner's request for equivalencies or exemptions (if any) and will electronically issue the DMLC Part I to the ship owner.
- d) With the issuance of the DMLC Part I, the ship owner may consult the authorised Recognised Organisation (RO) to prepare DMLC Part II with the supporting documentary evidence confirming compliance with DMLC Part I and the MLC 2006. Please refer to our website www.kiribaship.com for the approved RO which will also be authorised to carry out MLC 2006 certification.
- e) The ship owner will liaise with the authorised RO to carry out documentary review and then verification inspection on board the vessel, and to endorse on the DMLC Part II for the issuance of the Maritime Labour Certificate. The Maritime Labour Certificate shall be issued with DMLC Part I and II.
- f) The seafarers shall have a right to complain directly to the Master and the ship owner, and externally to the following competent authorities:
 - 1. Authorised Recognised Organisation; and
 - 2. Kiribati Ship Registry

Yours sincerely,

Deputy Registrar
Kiribati Ship Registry