

GIBRALTAR MARITIME ADMINISTRATION
(Ministry of Maritime & Shipping Services)



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Maritime Labour Notice (MLN) – 034

To: Ship Owners, Operators, Masters, Officers and Classification Societies

Guidance on implementation of MLC 2014 Amendments

This MLN provides guidance on compliance with the Gibraltar regulations which give effect to parts of MLC 2006 Title 2, Regulation 2.5, & Title 4, Regulation 4.2. Implementation of these guidelines will be taken as evidence of compliance with the Gibraltar regulations.

Documents referred to in this notice:

Maritime Labour Convention 2006 (MLC)

Gibraltar Merchant Shipping (Maritime Labour Convention) Regulations 2013, as amended

Most regulations and notices are available on the Gibraltar Maritime Administration website: www.gibraltarship.com

Implementation of MLC 2014 Amendments

The MLC 2014 amendments, which apply from 18 January 2017, relate to the financial security of seafarers in cases of abandonment (Regulation 2.5), and contractual claims for compensation in the event of a seafarer's death or long-term disability due to an occupational injury, illness or hazard (Regulation 4.2).

As of 18 January 2017, all ships must have on board a certificate or other documentation confirming that such financial security is in place. Information regarding requirements for the contents of the certificate or other documentation can be obtained from the new annexes A2-1 and A4-1 of the 2014 amendments.

The amendments involve the addition of two new points to DMLC Part I and DMLC Part II; No. 15 and 16.

However, it is not necessary to apply for a new DMLC Part I before the due date for renewing the MLC certificate. The MLC certificate and associated declarations (DMLC Part I and Part II) if issued before 18 January 2017 will be valid until the MLC certificate expires.

In connection with inspections (except MLC renewal inspections) on board carried out after 18 January 2017 and up until expiry the MLC certificate, the only requirement is that a certificate or other documentation confirming that financial security is in place, can be presented upon request.

When the MLC certificate is to be renewed:

- Send a request for renewal of the MLC certificate to the Administration.
- Send an application for a revised DMLC part I
- Prepare a new DMLC Part II, which will be reviewed, and if acceptable, approved, by the inspector on board the ship at the renewal inspection.
- A new short-term MLC certificate will be issued upon successful inspection, with full term Certificate issued after internal verifications.

The Administration is aware of the delay experienced in way of incorporation of the 2014 amendments into National legislation, and as such, for those ships which have undertaken renewal MLC inspections since 18 January 2018, and on which the 2014 amendments have not been reviewed and approved, the owners/operators should contact the Administration in order for arrangements to be made in respect of DMLC Part 2 approvals to be undertaken by the entity who undertook the renewal inspection.

Additional to the above-mentioned compliance at the renewal stage, owners/operators, may if requested from the Administration, undertake the review and approval of DMLC Part 2 at the Intermediate inspection stage of the MLC Certificate, providing the inspection window occurs after 18 January 2017.

When the DMLC Part 2 is to be reviewed and approved at the Intermediate Inspection:

- Send a request for Intermediate Inspection inclusive of DMLC Part 2 review to the Administration.
- Send an application for a revised DMLC part I
- Prepare a new DMLC Part II, which will be reviewed, and if acceptable, approved, by the inspector on board the ship at the Intermediate inspection.
- A new MLC certificate reflecting the date of approval of the DMLC Part 2 will be issued upon successful inspection maintaining the existing expiry date.

Richard Montado

Maritime Administrator

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All notices are available through www.gibraltarship.com This copy of the Administrative Instruction has been sent electronically and does not carry a signature or official stamp. A sign and stamped copy will be available upon request