



KPI MLC Information Notice MLCIN May-2012

Poland has become the 26th member State of the International Labor Organization (ILO) and the seventh EU member to have ratified the Maritime Labour Convention, 2006. As the threshold for the tonnage criteria has already been met, the ratification by Poland brings closer the attainment of the second condition required for the entry into force of the MLC, 2006, i.e. ratification by 30 member States. It is expected that the remaining four (4) ratifications will be registered before the end of 2012, which will enable the Convention to enter into force in 2013.

The Club & Maritime Administrators advise all shipowners/operators of vessels to utilize this period of voluntary compliance to establish measures to meet the MLC, 2006 inspection and certification requirements. By delaying, shipowners/operators may find themselves in a position of having to certify all their ships within just a short period.

The MLC, 2006 is a consolidation and updating of 68 maritime labor instruments which was unanimously adopted by the ILO in February 2006. The MLC, 2006 will enter into force 12 months after two conditions are met: 1) Ratification by 30 ILO Member Countries and, 2) Ratifying countries must represent a minimum of 33% of the world's total tonnage.

GENERAL RECOMMENDED PROCEDURE FOR SHIPOWNERS/OPERATORS TO OBTAIN VOLUNTARY CERTIFICATION FOR THE MLC, 2006

Step 1: Perform a gap analysis of ship and company policies against flag provisions,

Step 2: Any areas of concern, such as where a substantial equivalency/exemption may be permitted, are to be brought to the attention of the Administrations for evaluation.

Step 3: A formal request for issuance of the Declaration of Maritime Labour Compliance "DMLC" Part I is prepared and sent to the Administrations, detailing the following information for each vessel:

- Vessel Name;
- IMO Number;
- Gross Tonnage; and
- Any substantial equivalencies/exemptions as may have been agreed

Step 4: The DMLC Part I will then be issued

Step 5: Upon issuance of the DMLC Part I, the DMLC Part II is prepared by the Company/Shipowner (in consultation with the Recognized Organization "RO") for certification of the DMLC Part II by the RO.

Step 6: Upon completion of the DMLC (Part I and Part II), the vessel inspection process for issuance of the Declaration of Compliance is arranged, which may include any preparatory documentation review ashore prior to the onboard inspection.

KPI Loss Prevention Team