

**KPI MLC Information Notice MLCIN-February-2013**  
**[Document of Maritime Labour Compliance(DMLC) preparation]**

The MLC will enter force on 20.Aug.2013.

A Maritime Labour Certificate (MLC), complemented by a Declaration of Maritime Labour Compliance (DMLC), shall constitute evidence that the ship has been duly inspected by the Member whose flag it flies and that the requirements of Maritime Labour Convention, 2006 (MLC, 2006) relating to working and living conditions of the seafarers have been met to the extent as certified.

Each Member which ratifies the Maritime Labour Convention, 2006 (MLC, 2006) shall require ships that fly its flag to carry and maintain a Declaration of Maritime Labour Compliance (DMLC) stating the national requirements implementing this Convention for the working and living conditions for seafarers and setting out the measures adopted by the ship-owner to ensure compliance with the requirements on the ships concerned.

The Declaration of Maritime Labour Compliance (DMLC) shall be attached to the Maritime Labour Certificate and it shall have two parts:

*\*DMLC-Part one shall be drawn up by the competent authority which shall:*

- (I) Identify the list of items to be inspected in accordance with paragraph 1 of Standard A5.1.3;*
- (II) Identify the national requirements embodying the relevant provisions of this Convention by providing a reference to the relevant national legal provisions as well as, to the extent necessary, concise information on the main content of the national requirements;*
- (III) Refer to ship-type specific requirements under national legislation;*
- (IV) Record any substantially equivalent provisions adopted pursuant to paragraph 3 of Article VI of the Convention; and*
- (V) Clearly indicate any exemption granted by the competent authority as provided in Title 3 of the Convention; and*

*\*\*DMLC-Part two shall be drawn up by the ship-owner and shall identify the measures adopted to ensure ongoing compliance with the national requirements between inspections and the measures proposed to ensure that there is continuous improvement.*

*The competent authority or recognized organization duly authorized for this purpose shall certify DMLC-Part two and shall issue the Declaration of Maritime Labour Compliance.*

A current valid Maritime Labour Certificate and Declaration of Maritime Labour Compliance (DMLC), accompanied by an English-language translation where it is not in English, shall be carried on the ship and a copy shall be posted in a conspicuous place on board where it is available to the seafarers. A copy shall be made available in accordance with national laws and regulations, upon request, to seafarers, flag State inspectors, authorized officers in port States, and ship-owners' and seafarers' representatives.

The requirement for an English-language translation does not apply in the case of a ship not engaged in an international voyage.

On DMLC-Part two, ship-owner must draw up measures adopted to ensure ongoing compliance with national requirements of the competent authority as declared on DMLC-Part one; such

requirements must be taken into consideration for inspections to ensure that these are being properly implemented on-board. During the preparation of DMLC-Part two, ship-owner must ensure that the following documents and information are ready, as applicable, for each particular ship:

- ✓ Relevant information has been submitted to the competent authority to produce the DMLC-Part one or the competent authority duly authorized for this purpose issued the DMLC-Part one
- ✓ For seafarers under the age of 18 years engaged in night work, a list of training programmes; or the work to be performed which due to its specific nature or under a recognized training programme, that will not be detrimental to the health and well-being of the seafarer (Standard A1.1.3)
- ✓ List of hazardous work for young seafarers under 18 years of age (Standard A1.1.4; A4.3.2(b) and Guide-line B4.3.10.2)
- ✓ License/Certificate to operate for Seafarer Recruitment and Placement Service (SRPS) (Standard A1.4.2; A1.4.3)
- ✓ Collective Bargaining Agreement(s) (CBA) (Standard A2.1.2)
- ✓ Standard form of the Seafarers Employment Agreement (SEA) (Standard A2.1.2)
- ✓ Manning agreement between the ship-owner and the representative of the ship-owner, where the SEA is signed by a representative of the ship-owner (Standard A2.1.1 (a))
- ✓ Documented evidence of ship-owners' financial security for repatriation of seafarers (Regulation 2.5.2)
- ✓ Documented evidence of ship-owners' financial security to assure compensation in case of seafarer's death or long-term disability due to an occupational injury, illness or hazard (Standard A4.2.1(b))
- ✓ Table (form) of ship-board working arrangements for use on board the ship (Standard A2.3.11)
- ✓ Record (form) of daily hours of rest for use on board the ship (Standard A2.3.12)
- ✓ Medical report (form) used by the master and relevant medical personnel (on board and ashore) to help facilitate treatment of seafarers (Standard A4.1.2)
- ✓ Ship-owners' health and safety policy (Standard A4.3.1 (a))
- ✓ Ship-owners on-board complaint procedures (Standard A5.1.5.2 and Guide-line B5.1.5.1)

*Note: Documented evidence may refer to ship-owner procedures (i.e. in Safety Management System (SMS)), this is acceptable if the competent authority or recognized organization approving DMLC-Part two has total access to in force revisions of those documents.*

*Where the language of the Seafarers' Employment Agreement (SEA) and any applicable Collective Bargaining Agreement (CBA) is not English, the following shall also be available in English (except for ships engaged only in domestic voyages):*

- (a) A copy of a standard form of the agreement; and*
- (b) The portions of the Collective Bargaining Agreement (CBA) that are subject to a Port State inspection under Regulation 5.2.*