



TO: ALL SHIP OWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS AND AUTHORIZED CLASSIFICATION SOCIETIES.

SUBJECT: Implementation, Inspections and Certification under the Maritime Labor Convention (MLC), 2006

Reference: (a) Maritime Labor Convention (MLC), 2006
(b) Togo Maritime Law

PURPOSE:

The purpose of this Marine Notice is to provide guidance on implementing the requirements of the Maritime Labor Convention (MLC), 2006, including the inspection and certification of ships. This is the first in a series of Marine Notices that will provide guidelines for the implementation of the MLC, 2006. The related Marine Notices are:

MLC2006 -002TG – Minimum requirements for seafarers to work on vessels

MLC2006 -003TG – Terms and Conditions for employment of seafarers

MLC2006 -004TG – Standards of accommodation, recreational facilities, food, water & catering

MLC2006 -005TG – Health and safety protection, accident prevention, medical care, welfare and social security protection of seafarer's
MLC2006 -006TG – On-board complaint handling procedures



INTRODUCTION:

The MLC, 2006, in brief, is the combination and consolidation of several previously existing ILO Maritime Conventions and Recommendations adopted since 1920

The MLC, 2006 contains several additional and requirements, which although not required in previous guidelines and/or requirements, particularly in the area of occupational safety and health to meet current health concerns, such as fatigue, the effects of noise and vibration on workers and other workplace conditions.

Once it enters into force it will become the “fourth pillar” of the international regulatory regime for quality shipping, complementing the key Conventions of the International Maritime Organization (IMO) – SOLAS (1974) as amended, STCW (1978) as amended, and MARPOL (73/78), as amended.

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

MLC, 2006 will enter into force on 20 August 2013.



APPLICABILITYSHIPS

Except as expressly provided otherwise, the MLC, 2006 applies to all ships, whether publicly or privately owned, ordinarily engaged in commercial activities, other than ships engaged in fishing, and ships of traditional build such (e.i. dhows boats).

The MLC, 2006 does not apply to warships or naval auxiliaries.

The following ships shall be inspected and certified to be in compliance with the requirements of the convention and carry and maintain a Maritime Labor Certificate (ML Certificate) and the Declaration of Maritime Labor Compliance (DMLC) Parts I and II issued in English:

- i. Ships of 500 gross tonnage or over, engaged in international voyages;
- ii. Ships of 500 gross tonnage or over, operating from a port, or between ports, in another country; and
- iii. Other ships, as may be voluntarily requested by a shipowner. Inspection and

certification procedures for these ships are provided in section 2.

The Convention allows for flexibility in implementation by providing for national determinations, substantial equivalencies, and exemptions and variations under certain provisions.

The requirements in the Code implementing Regulation 3.1, Accommodation and recreational facilities, apply only to ships constructed on or after the date when the Convention enters into force.

A ship shall be deemed to have been constructed on the date when its keel is laid or when it is at a similar stage of construction. For ships constructed before that date, the requirements relating to ship construction and equipment that are set out in the Accommodation of Crews Convention (Revised), 1949 (No. 92), and the Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133), shall continue to apply to the extent that they were applicable, prior to that date.

SEAFARERS

Except as expressly provided otherwise, MLC, 2006 applies to all seafarers on board the ships to which the Convention applies.

The MLC, 2006 recognizes in Article II, paragraph 3, that there may be doubts whether a particular category or categories of persons who may perform work on board a ship covered by the Convention should be regarded as seafarers. Recognizing that there is need for clarification on this subject to help to provide uniformity in the application in the rights and obligations provided by the Convention, the 94th (Maritime) Session of the International Labor Conference adopted Resolution VII, to assist Administrations in resolving any difficulties that may arise.



The Togo Maritime Administration will consider the following issues, as provided for in Resolution VII, in determining whether certain persons or category of persons are considered seafarers:

- i. the duration of the stay on board of the persons concerned;
- ii. the frequency of periods of work spent on board;
- iii. the location of the person's principal place of work;
- iv. the purpose of the person's work on board; and
- v. the protection that would normally be available to the persons concerned with regard to their labor and social conditions to ensure they are comparable to that provided for under the Convention.

The Administration, taking into account the criteria provided in Resolution VII, considers that the following persons will not generally be considered as seafarers for the purpose of the MLC, 2006:

- i. Professional Pilots;
- ii. Port Workers;
- iii. Guest entertainers;
- iv. Ship Inspectors/Surveyors;
- v. Ship Superintendents;
- vi. Repair and maintenance technicians; and
- vii. Temporary riding crew such as Suez Canal crew.

1.1 DEFINITIONS:

Definitions have been taken from the MLC, 2006, SOLAS 74' as amended and where necessary, Togo National interpretations.

- 1.2 Administration:** The Office of Ship Registrar, Bureau of Maritime Affairs, the Republique Togolaise.
- 1.3 Competent authority:** The minister, government department or other authority having power to issue and enforce regulations, orders or other instructions having the force of law in respect of the subject matter of the provision concerned. The Togo Maritime Administration is the competent authority with respect to Togo flagged vessels.
- 1.4 Declaration of Maritime Labor Compliance (DMLC):** Document which states the national laws, regulations and marine notices implementing the requirements of this Convention for the working and living conditions for seafarers (Part I) and the measures put in place by the ship owner to ensure ongoing compliance with the requirements and the measures proposed to ensure that there is continuous improvement, on the ship concerned (Part II). Part I is drawn up by the Administration and Part II is drawn up by the shipowner.



- 1.5 International Voyage:** A voyage from a country to a port outside such a country.
- 1.6 Togo Maritime Labor Inspector:** An auditor who has been trained and appointed by the Administration, or by one of the Recognized Organizations dully authorized by Togo Maritime Administration, to conduct maritime labor inspections and verifications onboard Togo flag ships.
- 1.7 Maritime Labor Certificate:** The certificate referred to in Regulation 5.1.3 of the Maritime Labor Convention,
- 1.8 Recognized Organization (RO):** An organization that meets MLC, 2006, and has been authorized by the Administration to carry out maritime labor inspections or to issue ML Certificates or to do both on Togo ships. A list of RO's is provided on Togo Registry website www.togoregistrar.com
- 1.9 Seafarer:** any person who is employed or engaged or works in any capacity on board a ship to which this convention applies.
- 1.10 Seafarers Employment Agreement;** Includes both a contract of employment and the articles of agreement.
- 1.11 Seafarer Recruitment and Placement Service (SRPS):** Any person, company, institution, agency or other organization, in the public or private sector, which is engaged in recruiting seafarers on behalf of ship owners or placing seafarers with ship owners.
- 1.12 Ship:** a ship other than one which navigates exclusively in inland waters or waters within, or closely adjacent to sheltered waters or areas where port regulations apply.
- 1.13 Shipowner:** The owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on ship owners in accordance with MLC, 2006, regardless of whether any other organization or persons fulfill certain of the duties or responsibilities on behalf of the shipowner.
- 1.14 New Ship:** A ship constructed on or after the date that MLC, 2006 enters into force. A ship shall be deemed to have been constructed on the date when its keel is laid or when it is at a similar stage of construction.
- 1.15 Existing Ship:** A ship constructed before the date that MLC, 2006 enters into force.
- 1.16 Deficiency:** An observed situation or defect where objective evidence indicates a non-fulfillment of a specified requirement of MLC, 2006.
- 1.17 Serious Deficiency:** An identifiable deficiency that represents a significant danger to seafarers' safety, health or security or constitutes a serious breach of the requirements of the MLC 2006 , that requires immediate corrective action.



- 1.18 Objective evidence:** Quantitative or qualitative information, records or statements of fact pertaining to seafarer safety or health or to the existence and implementation of MLC 2006 requirements, which is based on observation, measurement or test and which can be verified.

2.1 COMPLIANCE GUIDANCE

2.2 Certification requirements

Ships required to be inspected and certified for compliance with the requirements of the MLC, 2006 shall carry and maintain a Maritime Labor Certificate and a Declaration of Maritime Labor Compliance (DMLC) Parts I and II issued in English.

The DMLC forms part of the Maritime Labor Certificate and is specific to each ship. Part I of the DMLC is drawn up by the Administration and identifies the list of matters to be inspected, the relevant national requirements, ship-type specific requirements under national legislation, any substantially equivalent provisions, and any exemption granted by the Administration. Part II is drawn up by the shipowner and identifies the measures that have been adopted to provide for initial and ongoing compliance with the national requirements and the measures proposed to encourage continuous improvement.

Part I and II contain a list of 14 matters related to the working and living conditions of seafarers that the Administration and the shipowner must address within the DMLC. The DMLC Part II must be reviewed and accepted by the Administration before a Maritime Labor Certificate may be issued.

The 14 matters and corresponding regulations that must be addressed in the DMLC are:

1. Minimum age (Regulation 1.1)
2. Medical certification (Regulation 1.2)
3. Qualifications of seafarers (Regulation 1.3)
4. Use of any licensed or certified or regulated private recruitment & placement service (Regulation 1.4)
5. Seafarers' employment agreements (Regulation 2.1)
6. Payment of wages (Regulation 2.2)
7. Hours of work or rest (Regulation 2.3)
8. Manning levels for the ship (Regulation 2.7)
9. Accommodation (Regulation 3.1)
10. On-board recreational facilities (Regulation 3.1)
11. Food and catering (Regulation 3.2)
12. On-board medical care (Regulation 4.1)
13. Health and safety and accident prevention (Regulation 4.3)
14. On-board complaint procedures (Regulation 5.1.5)



2.3 Verification Inspections and Certification

The Administration is taking an active role in ensuring compliance with the working and living conditions and the rights of seafarers serving on board Togo Flag ships. This role includes the review and acceptance of the DMLC Part II prepared by all ship owners. Review and acceptance of DMLC Part II will not be delegated to RO's/Classification Societies recognized by the Administration. The Administration's review will ensure consistency and efficiency in confirming compliance with requirements set out in DMLC Part I, certification of the DMLC Part II and inspections on the ship.

The Administration has trained a cadre of Togo auditors to serve as Togo Maritime Labor Inspectors in order to provide effective and efficient inspection and verification of the working and living conditions on board Togo flag ships. These inspectors are also trained to conduct verification audits under the ISM and ISPS Codes. The Administration is considering the possibility of "harmonizing" these audits with subsequent maritime labor inspections after a vessel's initial inspection for a Maritime Labor Certificate (See Marine Notice ISM-001 and ISP-001 for further details). The Administration has also authorized RO's to conduct maritime labor verification inspections and certification of Togo flag ships. A shipowner can choose whether to have the on board verification inspections and certification conducted by the authorized RO.

The list of authorized RO's can be found on website, www.togoregistrar.com

Specific information of the inspection, verification, and certification can be found in Section 4 of this Notice.

2.4 Preparing the DMLC Part II

The shipowner shall request from the Administration at tech@togoregistrar.com a ship specific DMLC Part I prior to developing and submitting a DMLC Part II for issuance of a Maritime Labor Certificate or a draft DMLC Part II for issuance of an interim Maritime Labor Certificate.

The standard DMLC Part I prepared by the Administration is provided in Annex I to this Marine Notice.

The shipowner should include or make reference in the DMLC Part II, the occasions on which ongoing compliance with the Administration's particular requirements will be verified, the records to be taken and maintained, and the procedures to be followed where non-compliance is noted. References may be made to other more comprehensive documentation covering policies and procedures, such as, the documents required by the ISM Code. If the DMLC Part II contains references to other documents, like the Company's Safety Management System (SMS), copies of the applicable sections of those documents shall be included when submitting the DMLC Part II for review.



The DMLC part II, shall be submitted by the owner to one of the Recognized Organizations under Togo for review / approval and further proceeding with the certification scheme as required under MLC 2006.

The procedure for the review / approval of DMLC part II and the relative certification scheme should be coordinated with the relative Recognized Organization as per their in force certification process.

3.1 AUTHORITY, CONDUCT, OBLIGATIONS AND RESPONSIBILITIES OF INSPECTORS (AUTHORIZED RO INSPECTORS)

3.2 Authority of Inspectors

Inspectors have the authority:

- To board a Togo registered ship;
- To carry out any examination, test or inquiry in order to satisfy themselves that the requirements of the Convention are being strictly observed;
- To question the master, seafarer or any other person, including the shipowner or the ship owners' representative, on any matter concerning the application of the requirements under Togo laws and regulations, in the presence of any witness that the persons may have requested;
- To require the production of any books, log books, registers, records, certificates or other documents or information directly related to matters subject to inspection, in order to verify compliance with Togo laws and regulations implementing this Convention;
- To enforce the posting of notices that may be required under Togo laws and regulations implementing this Convention;
- To require that the master make arrangements to take or remove, for the purpose of analysis, samples of products, cargo, drinking water, provisions, materials and substances used or handled;
- Following an inspection, to bring immediately to the attention of the shipowner, the operator of the ship or the master, any deficiencies which may affect the health and safety of those on board ship;
- To require deficiencies to be remedied;
- On authorization from the Administration to prohibit a ship from departing port until any deficiencies which represent a significant danger to the safety, health or security of seafarers; or which constitute a serious breach of the requirements (including seafarers rights) of this convention is rectified or an action plan to rectify the deficiencies has been accepted by the Administration or authorized RO;
- To bring to the attention of the Administration and applicable RO, any deficiency or abuse not specifically covered by existing Togo laws and regulations and submit proposals for the improvement of the laws and regulations;
- To notify the Administration of any occupational injuries or diseases affecting seafarers as required by Togo law and regulations.



3.3 Conduct of Inspectors

- Inspectors shall treat as confidential the source of any grievance or complaint alleging a danger or deficiency in relation to seafarers' working and living conditions or a violation of laws and regulations and shall not reveal to the shipowner, the ship owners representative or the operator of the ship that an inspection was made as a consequence of such a grievance or complaint.
- Inspectors that have any direct or indirect interest with the shipowner, seafarers or other interested parties shall not be called upon to carry out the maritime labor inspection.
- Inspectors shall not reveal, even after leaving service, any commercial secrets or confidential working processes or information of a personal nature which may come to their knowledge in the course of their duties, and may be subject to appropriate sanctions or disciplinary measures.

3.4 Obligation of Inspectors

In case of an investigation following a major incident, the report shall be submitted to the Administration as soon as practicable, but not later than one month following the conclusion of the investigation.

3.5 Responsibility of Inspectors

When an inspection is conducted or when measures are taken to remedy or rectify deficiency or provide an acceptable corrective action plan, all reasonable efforts shall be made to avoid a ship being unreasonably detained or delayed.

4.1 REQUIREMENTS

These requirements are supplemental to DMLC Part I, the Maritime Law, Maritime Regulations.

4.2 Report of Maritime Labor Inspection, Maritime Labor Certificate and DMLC

Regardless of whether the ship is certified under the MLC, 2006, or not, after conducting an MLC, 2006, inspection, authorized RO inspectors shall prepare a report of each inspection and provide three copies in English. A copy of the report shall be given to the master, another copy shall be posted on board for the information of the seafarers and the original sent to the Recognized Organization.

Upon request, on behalf of the seafarers, a copy of the report shall be sent to the seafarers' representative.

The report should stipulate that any deficiencies found during the inspection are to be rectified in accordance with the Administrations inspection reporting procedures.

The current valid Maritime Labor Certificate and DMLC (parts I and II) issued by the Maritime Labor Inspector in English, shall be carried on the ship, and a copy



shall be posted in an accessible place on board where it is available to seafarers. A copy shall be made available, upon request to seafarers, authorized RO inspectors, authorized officers in port states, and ship owners' and seafarers' representatives.

4.3 Record keeping of inspections

For ships carrying a Maritime Labor Certificate, the inspection reports of all subsequent inspections or other verifications carried out, together with the date when the deficiencies were found to be remedied shall be maintained together with the DMLC, and be made available, when requested, to seafarers, authorized RO inspectors, authorized officers in port states and ship owners' and seafarers' representatives.

4.4 Change of Flag

Ship owners of a Togo flagged ship should notify the Administration, if the ship changes flag to another Administration. If that Administration is a flag State that is a Party to the MLC, 2006, the Togo Maritime Administration or the authorized RO, where the authorized RO has issued the Maritime Labor Certificate on behalf of the Administration, will transmit to the gaining flag Administration copies of the Maritime Labor Certificate issued to the ship, when requested by the gaining flag, and, if applicable, copies of the relevant inspection reports, if the competent authority so requests within three (3) months after the change of flag has taken place.

4.5 Changes to the Declaration of Maritime Labor Compliance, ML Certificate and Shipowner

4.5.1 Changes to measures in DMLC Part I

The Administration will advise ship owners of changes to the DMLC Part I

- In case of substantial changes to the DMLC Part I, requiring updating and certifying of the DMLC Part II, a new DMLC Part I will be issued to each ship and a new DMLC Part II must be submitted to the Administration for review and acceptance / approval.

An additional Maritime Labor inspection may be required to verify the new measures, certify the new DMLC Part II & issue the declaration of maritime labor compliance. If an inspection is conducted, the existing ML Certificate shall be endorsed for an additional inspection with the same date as the date of issue of the new DMLC Part II.

4.5.2 Changes to measures in DMLC Part II

The shipowner shall advise the Administration or the relative Recognized Organization of changes to the DMLC Part II.

- In case of minor editorial changes to the DMLC Part II not leading to updating of other parts, only the amended pages shall be submitted to the Recognized Organization for review. The issue date of the DMLC shall not be changed. A new ML Certificate need not be re-issued.



- In case of any change to the measures in DMLC Part II, a new DMLC Part II must be submitted to the Recognized Organization in charge of MLC certification of the vessel, for review and acceptance. An additional Maritime Labor inspection may be required to verify the new measures, certify the new DMLC Part II and issue the declaration of maritime Labor compliance. If an inspection is conducted, the existing ML Certificate shall be endorsed for an additional inspection, as deemed necessary by the relevant Recognized Organization.
- The DMLC Part II need not be submitted, if there are changes made only to the documents referenced in the DMLC Part II, and does not affect the implementation of the measures in the DMLC Part II.

4.5.3 Changes to Shipowner

In case of change of Shipowner (manager or operator), a new DMLC Part II and relevant applications as previously stated must be submitted to the Recognized Organization for review.

A Maritime Labor inspection will be required.

4.6 Inspection for issuance of a Maritime Labor Certificate or Interim Maritime Labor Certificate:

Only an authorized RO inspector is authorized to conduct maritime labor inspections and verifications on behalf of the Administration.

- a) The shipowner must contact the authorized RO to arrange for the inspection and verification for a Maritime Labor Certificate.
Failure to have a valid Maritime Labor Certificate will be considered a violation of the MLC, 2006 Convention and the ship may be prevented from trading.
- b) The DMLC Part I and a DMLC Part II reviewed and accepted by the Administration and authorized RO must be available on board ship before any inspection and verification will be conducted.
- c) The Ship owners' measures drawn up in the DMLC Part II must be implemented on board before the inspection and verification for issuance of a Maritime Labor Certificate. The Administration does not specify minimum implementation period, however, the shipowner shall ensure that the measures included in the DMLC Part II have been in place on the ship for a period of time for the Master to develop sufficient evidence documenting implementation before the inspection and verification is carried out.

4.7 Internal Maritime Labor Inspections

An internal maritime labor inspection should be conducted by the ship owners or their representatives (third party auditor, ism managers...) at intervals not exceeding 12 months to ensure ongoing compliance and continuous improvement. This may be done in concert with the Company's internal ISM audit.

Personnel carrying out the inspections should be independent of the areas being inspected unless this is impracticable due to the size and the nature of the shipowner.



4.8 Designation of the Ship owners' representative with MLC responsibilities

The shipowner (manager or operator) must provide the Administration with the name, address, fax, email, telex numbers and emergency contact information of the person(s) with MLC responsibilities, including seafarer complaint resolution. This information may be included with the documentation submitted by the shipowner for DMLC Part II. Changes should be sent by email or fax or mail.

The form for the declaration of person(s) with MLC responsibilities (TG-5005) is provided in Annex III.

4.9 Validity of Certificates

A Maritime Labor Certificate shall be issued to each ship following a successful inspection and verification by the authorized RO inspector on behalf of the Administration.

4.9.1 The Maritime Labor Certificate shall be issued to a ship by the by the duly authorized RO for a period which shall not exceed five years, upon successful inspection and verification of the Administrations requirements implementing the provisions of the Convention regarding the working and living conditions of seafarers on the ship, including measures for ongoing compliance which are included in the declaration of maritime labor compliance.

4.9.2 The validity of the Maritime Labor Certificate shall be subject to an intermediate inspection by the authorized RO to ensure continuing compliance with the Administrations requirements implementing the provisions of the Convention, and it shall take place between the second and third anniversary dates of the certificate. Anniversary date means the day and month of the year which will correspond to the date of expiry of the Maritime Labor Certificate. The scope of the intermediate inspection shall be equal to an inspection for renewal of the certificate. The certificate shall be endorsed following satisfactory intermediate inspection.

4.9.3 Notwithstanding section 4.10.1 above, when the renewal inspection has been completed within three (3) months before the expiry of the existing Maritime Labor Certificate, the new Maritime Labor Certificate shall be valid from the date of completion of the renewal inspection for a period not exceeding five (5) years from the date of expiry of the existing certificate. In such a case the period of validity may exceed five (5) years.

4.9.4 When the renewal inspection is completed more than three (3) months before the expiry date of the existing Maritime Labor Certificate , the new Maritime Labor Certificate shall be shall be valid for a period not exceeding five (5) years starting from the date of completion of the renewal inspection.

4.9.5 The date/place of issue stated on the ML Certificate is where the certificate was printed regardless the date & place of the inspection & verification.



4.10 Interim Certification

4.10.1 Interim Maritime Labor Certificates may only be issued if the Administration or authorized RO acting on behalf of the Administration verified compliance with provisions of section 4.5.2 above and for:

- New ships on delivery;
- Transfer from another Flag; or
- A shipowner takes on responsibility for the operation of a ship which is new to that shipowner.

4.10.2 A shipowner may request for an interim Maritime Labor Certificate to an existing ship provided the inspection, verification and certification for a Maritime Labor Certificate is completed prior to the MLC, 2006 entering into force.

4.10.3 A declaration of maritime labor compliance need not be issued for the period of validity of the interim certificate.

5.1 NONCOMPLIANCE WITH THE MLC, 2006

5.2 ‘Cease to be valid’ Maritime Labor Certificate

A certificate issued under sections 4.10.1 or 4.11 above shall cease to be valid in any of the following cases:

- a) if the intermediate inspection is not completed within the second and third anniversary dates of the Maritime Labor Certificate;
- b) if the intermediate inspection is not satisfactorily completed and the ML Certificate is not endorsed;
- c) when a ship changes flag;
- d) when a shipowner ceases to assume the responsibility for the operation of a ship; and
- e) when substantial changes have been made to the structure or equipment covered in Title 3.

In the case of a) and b) above, the existing ML Certificate may be reinstated following an additional inspection to the extent and scope of an inspection for a ML Certificate. The reinstated ML Certificate shall be endorsed as “Validity reinstated with scope as initial’

In the case referred to in c), d) and e) above, a new Maritime Labor Certificate shall only be issued when the Administration or the authorized RO issuing the new certificate is fully satisfied that the ship is in compliance with the Administrations laws and regulations and other requirements implementing the provisions of this Convention regarding working and living conditions of seafarers on ships.



5.3 Withdrawal of the Maritime Labor Certificate

A Maritime Labor Certificate may be withdrawn at the determination of the Administration. Cause for certificate withdrawal may include, but is not limited to:

- a) on recommendation of the authorized RO, that the ship concerned does not comply with the Administrations requirements implementing the provisions of this Convention;
- b) any accepted corrective action plan to rectify serious deficiencies has not been implemented; and
- c) the measures in the declaration of maritime labor compliance Part II are not implemented on board.

5.4 Right to Appeal

In the event a shipowner disagrees with a determination made by the authorized RO inspector, the shipowner may make a direct appeal to the Administration.

The final determination will be based upon both the substance of the appeal and the recommendations of the authorized RO.

Appeals shall be in writing and may be sent by email to tech@togoregistrar.com or faxed to +961-1-883795.



ANNEX I

Maritime Labor Convention, 2006

Declaration of Maritime Labor Compliance — **Part I**

(Note: This Declaration must be attached to the ship's Maritime Labor Certificate)



ANNEX II

Declaration of Maritime Labor Compliance – Part II

Measures adopted to ensure ongoing compliance between inspections

The following measures have been drawn up by the shipowner, named in the Maritime Labor Certificate to which this Declaration is attached, to ensure ongoing compliance between inspections:

(State below the measures drawn up to ensure compliance with each of the items in Part I)

1. Minimum age (Regulation 1.1)
.....
2. Medical certification (Regulation 1.2)
.....
3. Qualifications of seafarers (Regulation 1.3)
.....
4. Seafarers' employment agreements (Regulation 2.1)
.....
5. Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)
.....
6. Hours of work or rest (Regulation 2.3)
.....
7. Manning levels for the ship (Regulation 2.7)
.....
8. Accommodation (Regulation 3.1)
.....
9. On-board recreational facilities (Regulation 3.1)
.....



10. Food and catering (Regulation 3.2)

.....

11. Health and safety and accident prevention (Regulation 4.3)

.....

12. On-board medical care (Regulation 4.1)

.....

13. On-board complaint procedures (Regulation 5.1.5)

.....

14. Payment of wages (Regulation 2.2)

.....



I hereby certify that the above measures have been drawn up to ensure ongoing compliance, between inspections, with the requirements listed in Part I.

Name of shipowner:¹

Company address:

Name of the authorized signatory:

Title:

Signature of the authorized signatory:
.....

Date:
(Stamp or seal of the shipowner¹)

The above measures have been reviewed, and following inspection of the ship, have been determined as meeting the purposes set out under Standard A5.1.3, paragraph 10(b), regarding measures to ensure initial and ongoing compliance with the requirements set out in Part I of this Declaration.

Name:

Title:

Address:
.....
.....

Signature:

Place:

Date:

(Seal or stamp of the authority, as appropriate)

¹ *Shipowner* means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on ship owners in accordance with this Convention, regardless of whether any other organizations or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. See Article II(1)(j) of the Convention.



ANNEX III

DECLARATION OF SHIP OWNERS' REPRESENTATIVE WITH MLC RESPONSIBILITIES
(including seafarer complaint resolution)

(To be filled out by the Shipowner¹)

Dates should be in the format dd/mm/yyyy

Information			
1	Name of Shipowner ¹ :	Company IMO number:	
2	Name of MLC Representative: Address(es) of the MLC Representative: Phone: Fax: Mobil Phone: 24 hour number: Email: The MLC Representative is responsible for all ships: YES / NO If NO, the following ships:		
3	Name of ship:	IMO Number:	
	Name of ship:	IMO Number:	
	Name of ship:	IMO Number:	
	Name of ship:	IMO Number:	
	Name of ship:	IMO Number:	
	Name of ship:	IMO Number:	
	Name of ship:	IMO Number:	
	Name of ship:	IMO Number:	

THIS IS TO CERTIFY THAT this record is correct in all respects:

Signature of authorized person: _____

Name of authorized person: _____

Date of issue: _____

¹ Shipowner: The owner of the ship or another organization or person, such as the manager, Agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on ship owners in accordance with MLC, 2006, regardless of whether any other organization or persons fulfill certain of the duties or responsibilities on behalf of the shipowner

TG-5005