Title 5 – Declaration of Maritime Labour Compliance, Part I

AIM

- To discuss how to create the Declaration of Maritime Labour Compliance (DMLC), Part 1
- To use the UK provisional DMLC Part 1 as an example

This session will cover:

- Background (what does the MLC say?)
- Preparing the DMLC, Part1 - Issues to consider
- Questions and discussion

Background

- Regulation 5.1.3.1
  - Ships of 500GT and over, engaged on international voyages
  - Ships of 500GT and over, operating from a foreign port or between foreign ports
  - Any other ship at the request of the shipowner

Background

- Regulation 5.1.3.4
  - Ships required to carry a DMLC stating the national requirements .. for living and working conditions for seafarers and setting out the shipowner's measures to ensure compliance on the ship or ships concerned

Background

- Reg 5.1.3.5
  - The maritime labour certificate and DMLC to conform to the model prescribed by the Code.
  - Appendix A5-II
  - Appendix B5-1

Background

- Code A5.1.3.10
- Part 1:Drawn up by competent authority
  - Identify list of matters to be inspected
  - Identify relevant national requirements
    - By reference to legislation/other national provisions
    - Concise information on main requirements
    - Any applicable substantial equivalents
    - Any exemptions, where allowed by Title 3

Background

- Code A5.1.3.12
  - In English or accompanied by a translation into English

Background

- Code B5.1.3
  - Where national legislation exactly follows MLC provisions, only a reference may be required
  - Implementation by substantial equivalence requires explanation
  - Clear indication of provisions where exemptions apply

Background

- B5.1.3.4
  - The DMLC should above all be drafted in clear terms designed to help
    - Flag State Inspectors
    - Port State Inspectors
    - Seafarers

    to check that provisions are being complied with.

Issues to consider

- One DMLC or many
  - Different sizes of crew
    - ship's cook (A3.2.5)
    - Ship's hospital (A3.1.12)
  - Different sizes of ship
    - Crew accommodation (A.3.1)
    - Vessels under 500GT (voluntary certification)

Issues to consider

- Level of detail
  - Should be “clear” and “helpful”
  - Can refer to other documents – but will they be on board for a Port State Inspector to see?

Select key requirements that are likely to be checked by PSC inspectors

Helpful to shipowners and seafarers

Issues to consider

- Preparation - when to publish
- Keeping under review during implementation phase
- Keeping up to date after ratification

Issues to consider

This document sets out current MCA thinking on what UK shipowners will need to do to comply with the revised UK legislation being prepared in anticipation of the UK ratifying the MLC, 2006.

The purpose of disclosing the draft proposals at this stage is to assist owners of UK ships in their preparations for the MLC coming into force internationally. However, the legislative changes referred to on this page have not yet been made, and public consultation on them has yet to be carried out.

Accordingly, unless otherwise indicated, the draft proposals set out here must not be regarded as final or certain, and shipowners should check final regulations and guidance when issued to identify any changes.

Any questions?