



सत्यमेव जयते

भारत सरकार / GOVERNMENT OF INDIA

पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

“बिटा बिल्डिंग”, 9 वी मंजिल / “BETA BUILDING”, 9th FLOOR

आय-थिंक टेक्नो कैंम्पस / I-THINK TECHNO CAMPUS

कांजुर गाँव रोड / KANJUR VILLAGE ROAD

कांजुर मार्ग (ईस्ट) / KANJUR MARG(EAST)

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Urgent
Important

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Directorate General of Shipping,

Govt. of India, Mumbai

M. S. Notice No. 10 of 2016

F. No: CR/16(4)/2009-Vol-IV

Dated : 10.10.16

Sub.: Implementation of the Maritime Labour Convention, 2006- ratification and enforcement- reg.

In exercise of the powers conferred by section 218A, read with section 457, of the Merchant Shipping Act, 1958 (44 of 1958), as amended, the Central Government, having regard to the provisions of the Maritime Labour Convention, has notified the Merchant Shipping (Maritime Labour) Rules, 2016, which came into force with effect from 29.02.16, vide the Ministry of Shipping, Govt. of India's Notification G.R.F. 202 (E) dated 29.02.16.

2. The Maritime Labour Convention-2006(MLC-2006) has formally entered into force, globally, on 20.08.13, on the ratification of the same by the required number of the Member-States of the International Labour Organisation [ILO] on 20.08.12. At that time, when the MLC-2006 had formally entered into force, worldwide, India was in the process of the ratification of the said Convention. In anticipation of the said ratification coming through, it was then felt that suitable administrative mechanisms should be developed and put in place so that compliance to the provisions of the MLC-2006, including with respect to the MLC certification, are met with by Indian flag ships, well in advance. Accordingly, the Directorate General of Shipping, Govt of India, had through a series of Merchant Shipping Notices viz. the MS Notice No. 7 of 2013, [F. No.16(5)/CR/2010] dated 01.02.13. MS Notice No. 11 of 2013 [F. No.16(5)/CR/2010-Vol-I] dated 17.04.13, MS Notice No.15 of 2013 [F. No.16(5)/CR/2010-Vol-I] dated 31.05.13 & MS Notice No. 27 of 2013 [F. No.16(5)/CR-2010-Vol-I] dated 13.11.2013, had laid down an elaborate end to end comprehensive & composite process of Inspection and certification of Indian flag ships, in line with the MLC-2006. With the said mechanisms deployed, many ships under the Indian flag have voluntarily got inspected for the purpose and have been

Page 1 of 3

issued a 'Statement of Compliance' by the Indian Register of Ships [the body authorised by the Directorate General of Shipping, Govt. of India, thereto].

3. The Govt. of India has now ratified the Maritime Labour Convention, 2006 on 09.10.15 and same has come into force for India with effect from 09.10.16, in accordance with Article VIII (4) of the MLC-2006. With this development, the following clarification is issued on the requirement for MLC certification w.e.f. 09.10.16.

4. Considering that many Indian flag ships have already undertaken the process set out laid down in the MLC-2006 for statutory inspection & certification and hold a valid 'Statement of Compliance', it is felt that such ships need not undergo the same procedure again. The Directorate General of Shipping, Govt. of India, as the National Maritime Administration of India hereby declares that the existing Statements of Compliance (SOC) already issued to the Indian flag ships in respect of the Maritime Labour Convention-2006 are deemed to be the 'Maritime Labour Certificates' issued under Rule 24(7) of the M.S.(Maritime Labour Rules),2016 and Regulation 5.1.3 of the MLC 2006. However, such Indian flag ships shall, within one year from 09.10.16, i.e. before 09.10.17 or before the expiry of the validity of their 'Statements of Compliance', whichever is earlier, obtain a fresh Maritime Labour Certificate under Rule 24(7) of the M.S. (Maritime Labour Rules) 2016 and Regulation 5.1.3 of the MLC 2006. The process for obtaining such fresh 'Maritime Labour Certificate' is mapped out in the Merchant Shipping Notice which is being issued separately by this office immediately and which may be referred to, contextually. .

5. This issues with the approval of the Director General of Shipping & Additional Secretary, Govt. of India.



[Dr. Amol B. Kirtane]
Deputy Director General of Shipping [Crew]

To,

1. All Indian flag shipping companies.
2. Indian Registrar of Shipping, Mumbai
3. Principal Officers, Mercantile Marine Departments, Mumbai, Chennai, Kolkata, Kandla & Kochi.
4. Surveyors-in-Charge, Mercantile Marine Departments, Jamnagar, Goa, Mangalore, Tuticorin, Vishakhapatnam, Paradip, Haldia, Port Blair & Noida.

Copy forwarded for an information & necessary action to the ;

1. Secretary to Govt. of India, Ministry of Shipping, [Attn : Shri K. Touthang, Director [MA]Transport Bhavan, 1, Parliament Street, New Delhi – 110001.
2. INSA/ICCSA.
3. Seafarers Union.
4. Nautical/Engineering/Naval Architecture/Training/SD Branches of the DGS, Gol.
5. Hindi & E-governances Branches, DGS, Gol, for the Hindi translation & uploading of this Notice on the official website of the DGS, Gol, respectively.