

Circular 175/ 2018

To: MLC ship-owners, all commercial vessels, all dual registered vessels, Deputy Registrar, Owners, ISM Managers.

Subject: Maritime Labour Convention implementation

Date: 15/05/2018

Summary

Maritime Cook Islands (MCI) must verify, through an effective and coordinated system of regular inspection, monitoring and other control measures, that ships comply with the requirements of the Maritime Labour Convention as implemented in the Cook Islands Maritime (Maritime Labour Convention – MLC) Rules 2014 No.1 which can be found [here](#).

MLC applies to all seafarers on board all commercial vessels whether on international or domestic voyages, publically or privately owned, except the following:

- Ships which navigate exclusively in inland waters, or waters with in or adjacent to sheltered waters or areas where port regulations apply
- Ships engaged in fishing or similar pursuits
- Traditional builds such as dhows and junks
- Warships and naval auxiliaries

MCI requires that all vessels to which MLC applies, shall be fully inspected to verify compliance with MLC requirements and shall be fully certified regardless of whether they are under 500GT.

MCI MLC vessels shall hold onboard, following satisfactory inspections the following documents, either issued by Maritime Cook Islands or an approved Recognised Organisation:

- Declaration of Maritime Labour Convention Part I
- Declaration of Maritime Labour Convention Part II
- Maritime Labour Convention Statement of Compliance

In addition to above every commercial vessel shall submit to MCI a completed declaration of the individual or entity that assumes the responsibility of the 'shipowner' under the MLC.

Attached below is **Form 88 Declaration of Ship Owner Assuming MLC Responsibilities**, MLC shipowners who have not done so already, are requested to complete the form return it to technical@maritimecookislands.com & cc Rachele@maritimecookislands.com.

Dual registered vessels shall maintain full compliance onboard at all times, even during times of private operation. Failure to ensure compliance during private operations, will result in an additional MLC audit at the cost of the owner and in some cases may result in the revocation of commercial certificates.

This circular aims to remind owners of CI flagged vessels that Cook Islands does implement MLC on all CI flagged commercial vessels; therefore MCI shall satisfy itself at any time that its flagged vessels (**regardless of area of operation**) comply with MLC requirements.

If you require further information or assistance regarding the information contained in this circular, please contact the Technical Department at technical@maritimecookislands.com



COOK ISLANDS DECLARATION OF SHIPOWNER ASSUMING MLC RESPONSIBILITIES

Ship
Registration
FORM 88
v.1

PART 1 – GENERAL

1.1	Name of Vessel	
1.2	Official Number	
1.3	IMO Number	
1.4	Gross Tonnage	
1.5	Vessel Type	
1.6	Keel Laid Date	
1.7	Shipowner* (name and address)	

The shipowner indicated in 1.7 has assumed the responsibility for the operation of the following ship from the **Registered Owner**** and on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on **Shipowners** in accordance with the MLC, regardless of whether any other organizations or persons fulfil certain parts of the duties or responsibilities on behalf of the Shipowner

Signed on behalf of the **Registered Owner**

(To be completed only when the Shipowner is not the Registered Owner)

Signature _____

(Date and Place)

Print full name and position

Signed on behalf of the **Shipowner**

Signature _____

(Date and Place)

Print full name and position

**shipowner means the owner of the ship or another organisation 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 shipowners in accordance with the Convention, regardless of whether any other organisation or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. For vessels to which the ISM Code applies it should be the "Company" in accordance with paragraph 1.1.2 of the ISM Code*

***Registered Owner means the owner as indicated in the Certificate of Registry and the Continuous Synopsis Record (if any)*