



Technical Circular

No.: 073/2020

Date: 11th May 2020

Subject: DGS, GOI – M.S. Notice No. 04 of 2020 (including Corrigendum to the MS Notice) Reg Implementation of the Maritime Labour Convention, 2006 – Inspection and Certification of the Maritime Labour Conditions of Indian Flag Ships

1. The Directorate General of Shipping, GOI, based on 2016 amendments to Maritime Labour Convention, 2006 in respect of protection of seafarers against shipboard harassment and bullying, has issued M.S.Notice No. 04 of 2020 as an addendum to M.S.Notice No. 16 of 2016.
2. DGS vide M.S.Notice 04 of 2020 and its Corrigendum has introduced following additional requirements;
 - a. Sub para (c) of para 11 (Health and safety and accident prevention) of Annexure IA (DMLC Part I) of M.S. Notice No.16 of 2016 is amended, requiring shipowners to report incidents involving “harassment and bullying of seafarers onboard ships”; and
 - b. A new sub para (g) under para 11 is added requiring ship-owners to “undertake investigations into the causes and circumstances of all occupational accidents and occupational injuries and diseases resulting in loss of life or serious personal injuries”.
3. In view of above, Shipowners /Managers of Indian flagged ships intending to apply for issuance of a new DMLC (as per MS Notice 16 of 2016) are advised to ensure incorporation of additional requirements as per M.S.Notice 04 of 2020 in the DMLC Part I and Part II.
4. Also Shipowners /Managers of Indian flagged ships issued with MLC certificates (existing certificates issued as per MS Notice 16 of 2016) are advised as follows;
 - a. Approach Administration for issuance of revised DMLC Part I and submit revised DMLC Part II with Administration for review and approval. Shipowners are required to update the DMLC Part I and DMLC Part II by **30th June, 2020**.
 - b. Approved original copies of updated DMLC Part I and DMLC Part II are to be placed onboard.

- c. Updated DMLC Part I and DMLC part II will be inspected, verified and certified during the next due MLC Inspection (Intermediate or Renewal).
 - d. Upon satisfactory completion of next due MLC inspection as above, a MLC certificate will be issued to the vessel indicating details of updated DMLC Part II.
5. Ship owners/ operators and masters of Indian flagged ships are advised to be guided by above and ensure compliance.

Enclosure:

DG shipping M.S. Notice No. 04 of 2020 and Corrigendum to the M.S. Notice.

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भारत सरकार / GOVERNMENT OF INDIA
पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय, मुंबई
DIRECTORATE GENERAL OF SHIPPING, MUMBAI

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

Date: 13.02.2020

Merchant Shipping Notice No. 04 of 2020

[Addendum to Merchant Shipping Notice No. 16 of 2016]

Subject: Implementation of the Maritime Labour Convention, 2006 – inspection and certification of the maritime labour conditions of Indian flag ships – reg.

Whereas the Directorate General of shipping has issued Merchant Shipping Notice No.16 of 2016 F.No.CR/16(4)/2009-Vol.V dated 08.12.2016 regarding Implementation of the Maritime Labour Convention, 2006 – inspection and certification of the maritime labour conditions of Indian flag ships.

2. And whereas, amendments of 2016 to the code relating to Regulation 4.3 & 5.1 of MLC 2006 has been adopted by International Labour Organisation.

3. And whereas, instances have been observed where the ship-owners/shipping companies approached MMDs/DGS for making certain amendments to DMLC part – II and Maritime Labour Certificate in view of change of name of ship-owner/ship and for extension of the validity of Maritime Labour Certificate for renewal inspection.

4. And whereas, the existing Merchant Shipping Notice does not prescribe any fee for such amendments for the said certificates.

5. Now therefore, following amendments to the Merchant Shipping Notice No. 16 of 2016 dated 08.12.2016 are made:-

(i) In the Annexure – I of Merchant Shipping Notice No. 16 of 2016 dated 18.12.2016, after para 12, the following para 12(A) shall be added:

| S.No. | Item | Fees in Rs. |
|-------|--|--|
| 1 | Change of name of Ship/address of the ship-owner | 5,000/- |
| 2 | Change of ship-owner | Procedure and fees as per initial issuance of Maritime Labour Certificate. |
| 3 | Change of flag | Procedure and fees |

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| | | as per initial issuance of Maritime Labour Certificate.. |
| 4 | Issuance of Duplicate Maritime Labour Certificate/DMLC Certificate in case of loss of certificate(s) | 5,000/- |
| 5 | Where the validity of maritime labour certificate expires without renewal inspection | Procedure & fees as per initial issuance of Maritime Labour Certificate. |

The ships which are not likely to be operational such as dry docking, layed up, monsoon lay off etc. shall take appropriate measures for renewal of Maritime Labour Certificate as per Paragraph 3 or 4 of Standard A 5.1.3 of Maritime Labour Convention 2006, as amended.

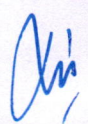
(ii) In the Annexure – IA of Merchant Shipping Notice No. 16 of 2016, sub Para (c) of Para 11 (Health and safety and accident prevention) shall be replaced as under:-

“c) Ship owners shall report the details of occupation accidents, injuries and diseases, including harassment and bullying occurred on board the ships in accordance with the relevant section of Merchant Shipping Act 1958 as amended.”

(iii) In Annexure – IA of Merchant Shipping Notice No. 16 of 2016, Health and safety and accident prevention, the following text shall be added after sub – para (f) of Para 11 (Health and safety and accident prevention):

“(g) The ship-owner should undertake investigations into the causes and circumstances of all occupational accidents and occupational injuries and disease resulting in loss of life or serious personal injury including

- (a) working environment, such as working surfaces, layout of machinery, means of access, lighting and methods of work;*
- (b) incidence in different age groups of occupational accidents and occupational injuries and diseases;*
- (c) special physiological or psychological problems created by the shipboard environment;*
- (d) problems arising from physical stress on board a ship, in particular as a consequence of increased workload;*
- (e) problems arising from and effects of technical developments and their influence on the composition of crews;*



(f) *problems arising from any human failures; and*

(g) *problems arising from harassment and bullying.*"

(iv) In Annexure – III of the said Merchant Shipping Notice after sub-para 4.3.9.18, following sub para shall be added:-

"4.3.9.19 Problems arising from harassment and bullying.

6. This Notice will come into force with immediate effect.

7. This issues with the approval of the Director General of Shipping & Additional Secretary to the Govt. of India.



(Subhash Barguzer)

Deputy Director General of Shipping (Crew)

To

1. All stakeholders through DGS website.
2. Assistant Director (OL), DG Shipping, Mumbai for Hindi version.
3. Computer Section, DGS, Mumbai with the request for placing it in the DGS website.



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नौवहन महानिदेशालय, मुंबई
DIRECTORATE GENERAL OF SHIPPING, MUMBAI

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

Dated: 03.04.2020

Corrigendum to Merchant Shipping Notice No. 04 of 2020

Subject: Implementation of the Maritime Labour Convention, 2006 – inspection and certification of the maritime labour conditions of Indian flag ships – prescription of fee for various inspections/certificates – reg.

Whereas the Directorate General of shipping has issued Merchant Shipping Notice No. 04 of 2020 [Addendum to Merchant Shipping Notice No. 16 of 2016 dated 08.12.2016] regarding Implementation of the Maritime Labour Convention, 2006 – inspection and certification of the maritime labour conditions of Indian flag ships.

2. The words in Para 6 of the said Merchant Shipping Notice viz. “The notice will come into force with immediate effect” is amended and to be read as “With regard to para 5(i) the notice will come into force with immediate effect and with regard to para 5 (ii) to 5(iv) the ship owner shall update DMLC Part I and II by 30th June 2020. However, the certificate shall be inspected during next inspection (Intermediate or Renewal) due for the ship whichever is earlier”.

3. All other provisions of the Merchant Shipping Notice No. 4 of 2020 remain unchanged.

4. This issues with the approval of the competent authority.

(Subhash Barguzer)

Deputy Director General of Shipping (Crew)

To

1. All stakeholders through DG Shipping website
2. Hindi Section, DGS, Mumbai
3. Computer Section, DGS, Mumbai, with request to place the notice in DG Shipping website

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