



# Technical Circular

No.: 126/2020

Date: 22<sup>nd</sup> October 2020

## **Subject: Marshall Islands - Amendments of 2018 to the Maritime Labour Convention, 2006**

1. The Maritime Administration of Marshall Islands vide Marine Safety Advisory No. 28-20 has provided guidelines for Marshall Islands flagged ships in respect of implementation of 2018 amendments to MLC, 2006 effective 26th December, 2020.
2. The amendments require continuation of Seafarer Employment Agreements and wages while seafarer is held captive on or off the ship as a result of piracy or armed robbery against ships, regardless of the dates in their employment contract.
3. Accordingly, shipowners are required to ensure that SEA and/or any applicable Collective Bargaining Agreements (CBAs) that are signed on or after 26th December 2020 covers the 2018 amendments to MLC, 2006.
4. **Declaration of Maritime Labour Compliance (DMLC) and Maritime Labour Convention Certificate (ML Certificate) for existing ships :**

No new DMLC Part I will be issued due to these amendments.

DMLC Part II amendments, if any, do not require submission to the Recognized Organizations (ROs) at this time. ROs will be confirming compliance with the new requirements during their next scheduled MLC, 2006 inspections on or after 26th December, 2020.

5. Ship owners/ operators and masters of Marshall Islands flagged ships are advised to be guided by above.

**Enclosure:** Marshall Islands Marine Safety Advisory No. 28-20.

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# Republic of the Marshall Islands

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### MARINE SAFETY ADVISORY No. 28-20

**To: Owners/Operators, Masters, Nautical Inspectors, Recognized Organizations**

**Subject: 2018 AMENDMENTS TO MLC, 2006**

**Date: 22 September 2020**

On 26 December 2020, the [2018 amendments](#) to the Maritime Labour Convention, 2006 (MLC, 2006) are expected to enter into force (EIF).

They require seafarer employment agreements (SEAs) (i.e., wages and other entitlements) to continue to have effect when seafarers are held captive on or off the ship due to piracy or armed robbery. The SEAs must remain in effect until the seafarer is released and repatriated or perishes in captivity.

The Republic of the Marshall Islands (RMI) Maritime Administrator has implemented these amendments through §7.45.1 of the RMI Maritime Regulations ([MI-108](#)). As a result:

- RMI-flagged shipowners must ensure that SEAs and/or any applicable collective bargaining agreements that are signed on or after the EIF date cover the 2018 MLC, 2006 amendments.
- The 2018 MLC, 2006 amendments do not necessitate changes to the Declaration of Maritime Labour Compliance (DMLC) Part I, so no new DMLC Part I is needed and none will be issued due to these amendments.
- DMLC Part II amendments, if any, do not require submission to the Recognized Organizations (ROs) at this time. ROs will be confirming compliance with the new requirements during their MLC, 2006 inspections on or after the EIF date.

See also RMI Marine Notice [7-052-2](#), *Maximum Period of Shipboard Service for Seafarers Under the Maritime Labour Convention, 2006 (MLC, 2006)* and RMI Marine Guideline [7-45-1](#), *Guidance on Seafarer Employment Agreements* which have been updated to include this requirement.

This MSA expires one (1) year after its issuance, unless otherwise noted, extended, superseded, or revoked.