



Technical Circular

No.: 143/2020

Date: 21st December 2020

Subject: Malta Merchant Shipping Notice 167 Reg. Amendments of 2018 to the Maritime Labour Convention, 2006

1. The Malta Maritime Administration vide Merchant Shipping Notice 167 has provided guidelines for 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. **The current DMLC Part I will remain in force.**

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 Malta flagged ships are advised to be guided by above.

Enclosure: Malta Merchant Shipping Notice 167, dated 16 December 2020.



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Merchant Shipping Directorate



AMENDMENTS TO THE MARITIME LABOUR CONVENTION, 2006

Merchant Shipping Notice 167

*Notice to Shipowners, Ship Operators, Managers, Masters,
Owners' Representatives and Recognised Organisations*

The Directorate reminds all concerned to the entry into force of the 2018 amendments to the Maritime Labour Convention, 2006, on 26 December 2020.

Inter alia, the 2018 amendments provide that a seafarer's employment agreement (SEA) shall continue to have effect for the whole period during which a seafarer is held captive on or off a ship in the event of and as a result of acts of piracy or armed robbery against ships. The SEA will be deemed to have full effect regardless of whether the expiration date of the contract has passed or either party has given notice to suspend or terminate it.

Shipowners, Ship Operators and Ship managers operating ships registered under the Merchant Shipping Act, must ensure that SEAs and/or any applicable collective bargaining agreements that are signed on or after 26 December 2020, cover the 2018 amendments.

Furthermore, it is to be noted that the 2018 amendments do not necessitate changes to the Declaration of Maritime Labour Compliance (DMLC) Part I. To this effect, the current DMLC Part I will remain in force.

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 entry into force date.

The text of the 2018 amendments to the Maritime Labour Convention, 2006, as amended, adopted by the Special Tripartite Committee of the International Labour Organisation may be downloaded from:

https://www.ilo.org/dyn/normlex/fr/f?p=1000:51:::NO:51:P51_CONTENT_REPOSITORY_ID:3952971

Merchant Shipping Directorate

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