



# Technical Circular

No.: 146/2020

Date: 31<sup>st</sup> December 2020

## **Subject: Mauritius - Amendments of 2018 to the Maritime Labour Convention, 2006.**

1. The Maritime Administration of Mauritius vide M.S. Notice Ref 23 of 2020 has provided guidelines in respect of implementation of 2018 amendments to MLC, 2006 effective 26th December, 2020.
2. The amendments require continuation of Seafarer Employment Agreements (SEA), wages and other entitlements under SEA 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 incorporates the 2018 amendments to MLC, 2006.
4. The amendments do not immediately affect the validity of ML Certificates or DMLC Part I already issued to the existing Mauritius ships. Existing MLC Certificates and DMLC issued shall remain valid until first Renewal MLC inspection on or after 26th December 2020. Prior to the renewal inspection, shipowners /managers are required to obtain new DMLC Part I from Mauritius Administration (the new DMLC Part I will include the applicable requirements of the 2018 amendments to MLC, 2006) and accordingly update the DMLC Part II to incorporate new requirements which is to be submitted to the appropriate Recognized Organization for approval. The approved original copies of new DMLC Part I and updated DMLC Part II are to be placed onboard prior to conduct of Renewal MLC Inspection conducted post 26th December, 2020.
5. Ship owners/ operators and masters of Mauritius flagged ships are advised to be guided by above.

**Enclosure:** Mauritius Merchant Shipping Notice Ref: 23 of 2020.



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**REPUBLIC OF MAURITIUS**

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**MERCHANT SHIPPING NOTICE Ref: 23 of 2020**

**Title: The 2018 Amendments to the Maritime Labour Convention, 2006, (MLC, 2006), as amended.**

Notice to: **Ship Owners/Ship Managers/ Designated Persons Ashore/Recognised Organisations**

***The objective of this Merchant Shipping Notice is to clarify the application of the 2018 amendments to the Maritime Labour Convention 2006 regarding DMLC Part 1 and Part 2.***

**1. Purpose**

**1.1** This Merchant Shipping Notice provides instructions to Shipowners, Ship Managers Masters, Designated Persons Ashore (DPAs) and Recognised Organisations on the position of this Ministry regarding the Declaration of Maritime Labour Compliance (DMLC) and MLC certificate for ships as a result of the entry into force of the 2018 amendments to the Maritime Labour Convention

**2. The amendments**

**2.1** The 2018 amendments to the Maritime Labour Convention, 2006, as amended (MLC,2006) entered into force on 26 December 2020.

**2.2** Those amendments to the MLC, 2006 bring about a change to a Seafarer's Employment Agreement (SEA) which shall continue to have effect and wages shall continue to be paid while a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships. This is regardless of whether the date fixed for the SEA's expiry has passed or any notice to terminate it has been issued.

### **3. Applicability**

**3.1** The amendments and the contents of this Merchant Shipping Notice No. 23 of 2020 apply to all Mauritius ships to which the MLC 2006 applies.

### **4. Implications for shipowners, Managers and Designated Persons Ashore.**

**4.1** The 2018 amendments do not require that changes be made to the **Declaration of Maritime Labour Compliance (DMLC) Part 1** in the immediate. Consequently, the existing **DMLC Part 1** will remain in force. Compliance to the amendments will be verified by Recognised Organisations during the next Renewal MLC inspection **on or after 26 December 2020.**

**4.2** Hence, prior to the renewal MLC inspection, ship owners will be required to obtain an updated **DMLC Part I** from this Ministry and will be required to amend the **DMLC Part II** accordingly to include the new requirements. Once amended, the **DMLC Part II** should be submitted to the appropriate Recognised Organisation for approval.

**5.** All those concerned are required to take note of the contents of this Merchant Shipping Notice and to apply them accordingly.

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