



# ST. VINCENT AND THE GRENADINES

## MARITIME ADMINISTRATION

### CIRCULAR N° MLC 013

#### **MARITIME LABOUR CONVENTION (MLC), 2006 2022 AMENDMENTS**

**TO: SHIPOWNERS, MASTERS AND SEAFARERS,  
RECOGNIZED ORGANIZATIONS (ROs) AND FLAG  
STATE INSPECTORS**

**APPLICABLE TO: ALL SHIPS AND SEAFARERS AS DEFINED UNDER  
ARTICLE II OF THE MARITIME LABOUR  
CONVENTION, 2006**

**EFFECTIVE AS FROM:** 23 December 2024

Date: 23 September 2024

#### **1. General**

Since its entry into force on 20 August 2013, the MLC, 2006 has been amended in 2014, 2016, and 2018. The most recent amendments to the MLC, 2006 were adopted in 2022 and will enter into force on 23 December 2024. These 2022 Amendments are designed to strengthen the rights of seafarers and ensure a safer, fairer, and more secure working environment in the maritime industry. Major changes to the MLC include revisions to regulations concerning recruitment and placement, repatriation, recreational facilities, food and catering, medical care both onboard and ashore, health and safety protection, and accident prevention.

The primary objective of these amendments is to further improve working and living conditions for seafarers, particularly addressing critical issues that emerged during the COVID-19 pandemic. These amendments include provisions that require action from Member States as well as those that must be implemented by shipowners.

#### **2. Resolutions adopted**

Three resolutions were also adopted by the Committee

##### **2.1 Resolution on Contractual Redress for Seafarers**

This resolution calls on members to ensure that all seafarers have adequate means of contractual redress against the shipowner. It also requires that necessary steps be taken to ensure correct implementation as soon as possible.

##### **2.2 Resolution on Financial Security**

This resolution calls for the establishment of a working group within the STC to discuss the financial security system required under Standard A2.5.2. The group is tasked with making recommendations to the STC on potential improvements to enhance the system's effectiveness and sustainability, ensuring a greater degree of protection and assistance for abandoned seafarers.

### **2.3 Resolution on Harassment and Bullying, Including Sexual Assault and Sexual Harassment, in the Maritime Sector**

This resolution calls for the Governing Body to address the issues of harassment and bullying, including sexual assault and sexual harassment, in the maritime sector. It requests that these matters be considered by the Joint ILO/IMO Tripartite Working Group (JTWG) at the earliest opportunity, with the objective of ensuring a safe and inclusive workplace for seafarers.

### **3. Amendments Requiring Actions by Shipowners**

Shipowners should review their processes in relation to the following:

- **Standard A3.1 and Guideline B3.1.11:** Make sure that recreational facilities on board include social connectivity, adapted to the special needs of seafarers, including reasonable access to ship-to-shore telephone communications, where available, and internet access. Any charges for the use of these services being reasonable in amount.
- **Standard A3.2:** Provide food and drinking water free of charge and make sure that meals provided are nutritious, balanced, of sufficient quantity and quality. Food is to be prepared in hygienic conditions and with regard to the religious and cultural practices of the seafarers on board.
- **Standard A4.3:** Make sure that all seafarers are provided with appropriately sized personal protective equipment as a means to prevent occupational accidents, injuries and diseases on board.
- **Appendix A2-1 & Appendix A4-1:** The certificate(s) or other documentary evidence of financial security required under Standard A2.5.2 and A4.2.1 may now include the name of the registered owner of the ship instead of, and if different to, the name of the shipowner.

The rights and obligations of seafarers and shipowners, as affected by the 2022 amendments to the MLC, 2006, will apply from the date of entry into force. Shipowners should update and implement their procedures to ensure compliance with the amendments by no later than 23 December 2024.

### **4. Existing ML Certificates and DMLCs**

Existing ML Certificates and DMLCs that have been issued prior to the entry into force of the amendments will continue to remain valid, however, they shall be renewed no later than the date of the first renewal inspection following entry into force of the amendments. An amended DMLC Part I will be available to:

- All ships registering with this Administration on or after 23 December 2024.
- Ships already registered with this Administration, prior to the first renewal inspection on or after 23 December 2024.

ROs will assess compliance with the MLC 2022 amendments, specifically paragraph 3 of this circular, during MLC inspections conducted after 23 December 2024.

Annex to this circular: Amendments of 2022 to the MLC, 2006



## **Amendments to the Code relating to Regulations 1.4, 2.5, 3.1, 3.2, 4.1 and 4.3 and to appendices A2-I and A4-I of the MLC, 2006**

### **Amendment to the Code relating to Regulation 1.4 – Recruitment and placement**

#### *Standard A1.4 – Recruitment and placement*

Replace paragraph 5(c)(vi) by the following:

(vi) establish a system of protection, by way of insurance or an equivalent appropriate measure, to compensate seafarers for monetary loss that they may incur as a result of the failure of a recruitment and placement service or the relevant shipowner under the seafarers' employment agreement to meet its obligations to them, and ensure that seafarers are informed, prior to or in the process of engagement, of their rights under that system.

### **Amendment to the Code relating to Regulation 2.5 – Repatriation**

#### *Standard A 2.5.1 – Repatriation*

Insert new paragraph 9 and renumber the subsequent paragraph:

9. Members shall facilitate the prompt repatriation of seafarers, including when they are deemed abandoned within the meaning of Standard A2.5.2, paragraph 2. Port States, flag States and labour-supplying States shall cooperate to ensure that seafarers engaged on a ship to replace seafarers who have been abandoned in their territory, or on a ship flying their flag, shall be accorded their rights and entitlements under this Convention.

### **Amendments to the Code relating to Regulation 3.1 – Accommodation and recreational facilities**

#### *Standard A3.1 – Accommodation and recreational facilities*

Replace paragraph 17 by the following:

17. Appropriate seafarers' recreational facilities, amenities and services, including social connectivity, as adapted to meet the special needs of seafarers who must live and work on ships, shall be provided on board for the benefit of all seafarers, taking into account Regulation 4.3 and the associated Code provisions on health and safety protection and accident prevention.

#### *Guideline B3.1.11 – Recreational facilities, mail and ship visit arrangements*

Replace paragraph 4(j) by the following:

(j) reasonable access to ship-to-shore telephone communications, where available, with any charges for the use of these services being reasonable in amount.



Insert new paragraph 8:

8. Shipowners should, so far as is reasonably practicable, provide seafarers on board their ships with Internet access, with charges, if any, being reasonable in amount.

#### *Guideline B4.4.2 – Welfare facilities and services in ports*

Insert new paragraph 5 and renumber the subsequent paragraphs:

5. Members should, so far as is reasonably practicable, provide seafarers on board ships in their ports and at their associated anchorages with Internet access, with charges, if any, being reasonable in amount.

### **Amendments to the Code relating to Regulation 3.2 – Food and catering**

#### *Standard A3.2 – Food and catering*

Replace paragraphs 2(a) and (b) by the following:

(a) food and drinking water supplies, having regard to the number of seafarers on board, their religious requirements and cultural practices as they pertain to food, and the duration and nature of the voyage, shall be suitable in respect of quantity, nutritional value, quality and variety, and shall be provided free of charge during the period of engagement;

(b) the organization and equipment of the catering department shall be such as to permit the provision to the seafarers of adequate, varied, balanced and nutritious meals prepared and served in hygienic conditions; and

Replace paragraph 7(a) by the following:

(a) supplies of food and drinking water in relation to their quantity, nutritional value, quality and variety;

### **Amendments to the Code relating to Regulation 4.1 – Medical care on board ship and ashore**

#### *Standard A4.1 – Medical care on board ship and ashore*

Insert new paragraphs 5 and 6:

5. Each Member shall ensure prompt disembarkation of seafarers in need of immediate medical care from ships in its territory and access to medical facilities ashore for the provision of appropriate treatment.

6. Where a seafarer has died during a ship's voyage, the Member in whose territory the death has occurred or, where the death has occurred on the high seas, into whose territorial waters the ship next enters, shall facilitate the repatriation of the body or ashes by the shipowner, in accordance with the wishes of the seafarer or their next of kin, as appropriate.



### *Guideline B4.1.3 – Medical care ashore*

Insert new paragraphs 4 and 5:

4. Each Member should ensure that seafarers are not prevented from disembarking for public health reasons, and that they are able to replenish ships' stores, fuel, water, food and supplies.

5. Seafarers should be considered to be in need of immediate medical care in cases of, but not limited to:

- (a) any serious injury or disease;
- (b) any injury or disease which might lead to temporary or permanent disability;
- (c) any communicable disease which poses a risk of transmission to other members of the crew;
- (d) any injury involving broken bones, severe bleeding, broken or inflamed teeth or severe burns;
- (e) severe pain which cannot be managed on board ship, taking account of the operational pattern of the ship, the availability of suitable analgesics and the health impacts of taking these for an extended period;
- (f) suicide risk; and
- (g) a tele-medical advisory service recommending treatment ashore.

### *Guideline B4.1.4 – Medical assistance to other ships and international cooperation*

Replace paragraph 1(k) by the following:

(k) arranging for the repatriation of the bodies or ashes of deceased seafarers, in accordance with their wishes or those of their next of kin, as appropriate, and as soon as practicable.

## **Amendment to the Code relating to Regulation 4.3 – Health and safety protection and accident prevention**

### *Standard A4.3 – Health and safety protection and accident prevention*

Replace paragraph 1(b) by the following:

(b) reasonable precautions to prevent occupational accidents, injuries and diseases on board ship, including through the provision of all necessary appropriately-sized personal protective equipment and measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals, as well as the risk of injury or disease that may arise from the use of equipment and machinery on board ships;



## **Amendments to the Code relating to Regulation 4.3 – Health and safety protection and accident prevention**

### *Standard A4.3 – Health and safety protection and accident prevention*

Replace the chapeau of paragraph 5, insert new paragraph 5(a) and renumber the subsequent subparagraphs:

5. Each Member shall ensure that:

(a) all deaths of seafarers employed, engaged or working on board ships that fly its flag are adequately investigated and recorded, and reported on an annual basis to the Director-General of the International Labour Office to be published in a global register;

### *Guideline B4.3.5 – Reporting and collection of statistics*

Insert new paragraphs 4 and 5:

4. The fatality data to be reported under subparagraph (a) of paragraph 5 of Standard A4.3 should be in the format, and using the classification, as specified by the International Labour Office.

5. The fatality data should include, but not be limited to, information on the type (classification) of death, ship type and gross tonnage, location of fatality (at sea, in port, at anchorage), and seafarer's sex, age, occupational position and department.

## **Amendments to Appendices**

### *Appendix A2-I – Evidence of financial security under Regulation 2.5, paragraph 2*

Replace item (g) by the following:

(g) name of the shipowner, or of the registered owner if different from the shipowner;

### *Appendix A4-I – Evidence of financial security under Regulation 4.2*

Replace item (g) by the following:

(g) name of the shipowner, or of the registered owner if different from the shipowner;