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MARITIME LABOUR CONVENTION (MLC 2006) 2014 AMENDMENTS

The 2014 amendments to the Maritime Labour Convention (MLC), 2006 which relate to financial security will enter into force on 18 January 2017.

Standard A2.5.2 – Financial Security

This standard requires a financial security system to be provided to assist seafarers in the event of abandonment. The standard defines abandonment as:

- 1. when the shipowner fails to cover the cost of the seafarer's repatriation; or*
- 2. when the shipowner has left the seafarer without the necessary maintenance and support; and*
- 3. when the shipowner has otherwise unilaterally severed their ties with the seafarer, including failure to pay contractual wages for a period of at least two months.*

Ships will have to carry a certificate or other documentary evidence of financial security on board, as issued by the financial security provider. New Appendix A2-1 will detail the information required to be on the certificate or other documentary evidence.

Standard A4.2.1 – Shipowner's Liability

This standard sets out the minimum requirements for a system of financial security that assures compensation in the event of a contractual claim (see the definition under Standard A4.2.2 below). Again, ships will be required to carry a certificate or other documentary evidence of financial security issued by the financial security provider.

Standard A4.2.2 – Treatment of Contractual Claims

This standard defines a 'contractual claim' as "any claim which relates to death or long-term disability of seafarers due to an occupational injury, illness or hazard as set out in national law, the seafarers' employment agreement or collective agreement."

The standard also requires that effective means are in place to deal with and settle contractual claims for compensation.

Appendices A4-1 and B4-1

Appendix A4-1 details the evidence of financial security that is required. Appendix B4-1 details a model receipt and release form, referred to in new Guideline B.4.2.2.

Where there is more than one financial security provider for repatriation or shipowner's liability, documentary evidence from each provider shall be carried on board.

What the changes means

The 2014 amendments to the Maritime Labour Convention (MLC), 2006 which relate to financial security of seafarers repatriation (Reg 2.5), and claims for compensation in the event of a seafarer's death or long term disability due to an operational injury, illness or hazard (Reg 4.2) will enter into force on 18 January 2017.

A copy of 2014 MLC amendments is available at www.ilo.org (http://www.ilo.org/ilc/ILCSessions/103/reports/WCMS_248905/lang--en/index.htm).

As of 18 January 2017, each ship must carry on board a certificate or other documentary evidence of financial security to comply with these new provisions. These certificates or other documentary evidences should contain the information provided in new Appendix A2-1 and A4-1. Also company procedures and check lists are to be updated accordingly to avoid any deficiencies or detentions during the Port State Control inspections.

2014 amendments should not affect the validity of maritime labour certificates or declarations of maritime labour compliance already issued. Ship owners should amend the DMLC Part II when the relevant flag State has re-issued the DMLC part I which addresses the new MLC requirements. This should be done not later than the first MLC Periodical Inspection due after 18 January 2017.

Resolution on the transitional measures relating to the entry into force of the amendments may be found on ILO web site ([ILO Web Site Link](#)).

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