



ISM/ISPS/MLC circular

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Subject: Flag State instruction and KR inspection policy for Amendments of 2018 to the Code of the Maritime Labour Convention, 2006 Entry into force on 26 December 2020

This circular is a reference document to provide information to other stakeholders such as ship owners or ship managers etc., and the actual implementation responsibility rests entirely with the implementing parties.

The Amendment of 2018* to Code of the Maritime Labour Convention (MLC), 2006 will be entered into force on 26 December 2020 in the rectified countries. This circular includes the specific Flag State instructions and KR inspection policy for 2018 Amendments of MLC, 2006.

* MLC Standard A2.1.7 : Each Member shall require that a seafarer's employment agreement shall continue to have effect while a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships, regardless of whether the date fixed for its expiry has passed or either party has given notice to suspend or terminate it.

MLC Standard A2.2.7 : Where a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships, wages and other entitlements under the seafarers' employment agreement, relevant collective bargaining agreement or applicable national laws, including the remittance of any allotments as provided in paragraph 4 of this Standard, shall continue to be paid during the entire period of captivity and until the seafarer is released and duly repatriated in accordance with Standard A2.5.1 or, where the seafarer dies while in captivity, until the date of death as determined in accordance with applicable national laws or regulations.

MLC Guideline B2.5.1.8 : The entitlement to repatriation may lapse if the seafarers concerned do not claim it within a reasonable period of time to be defined by national laws or regulations or collective agreements, except where they are held captive on or off the ship as a result of acts of piracy or armed robbery against ships.

1. Flag State issuing specific instruction

We summarize the specific instructions issued by 13 Flag State in the Appendix 1 and KR will verify the compliance by the Flag State instruction during the relevant MLC inspection

on or after 26 December 2020. If non-compliance is identified, deficiency will be issued.

Flag : Belize, Cyprus, Hong Kong, Isle of Man, Kiribati, Liberia, Malta, Marshall Islands, Panama, Singapore, St. Vincent and the Grenadines, Tuvalu, Vanuatu

2. Flag State other than above paragraph 1

KR will inspect the confirmation of documents for compliance with the 2018 amendment of MLC, 2006 (eg. SEA, CBA, DMLC Part II and SMS documents referring the DMLC Part II etc.) during the Interim, Initial, Intermediate and Renewal MLC inspection on or after 26 December 2020, If non-compliance is identified, deficiency will be issued. However, in case where the 2018 Amendment is in the DMLC Part II, it shall be reviewed by RO or Flag State before the relevant MLC Inspection.

Attachment

1. Summary of Flag State instruction for 2018 Amendment of MLC, 2006
2. Korea
3. Belize_MMN-20-006 MERCHANT MARINE NOTICE
4. Cyprus_Circular No: 20/2020
5. Hong Kong_Circular Letter for MLC 2018
6. Isle of Man_Technical Advisory Notice Ref. 004-20
7. Kiribati_MARINE CIRCULAR 57/2020
8. Liberia_Marine Advisory: 32/2020
9. Malta_MS Notice 167
10. Marshall Islndad_MARINE SAFETY ADVISORY No. 28-20
11. Panama_Merchant Marine Notice-20/2020
12. Singapore_SHIPPING CIRCULAR NO. 18 OF 2020
13. St. Vincent and the Grenadines_CIRCULAR N° MLC 011
14. Tuvalu_MARINE CIRCULAR MC-5/2020/1
15. Vanuatu_FLEET SAFETY LETTER 060120.GEN (end)



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