



TECHNICAL CIRCULAR No. 520 of 08th November 2018

To:	All Surveyors/Auditors
Applicable to flag:	All Flags
MLC Amendments	
Reference:	Maritime Labour Convention, 2006, as amended

MLC Amendments

Third meeting of the Special Tripartite Committee established by the Governing Body in accordance with Article XIII of the Maritime Labour Convention, 2006, as amended (MLC, 2006) Text of the amendments adopted on 27 April 2018 Amendments to the Code of the MLC, 2006, relating to Regulation 2.1.

Standard A2.1 – Seafarers’ employment agreements

Insert new paragraph 7:

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. For the purpose of this paragraph, the term:

(a) piracy shall have the same meaning as in the United Nations Convention on the Law of the Sea, 1982;

(b) armed robbery against ships means any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State’s internal waters, archipelagic waters and territorial sea, or any act of inciting or of intentionally facilitating an act described above.

Amendments to the Code of the MLC, 2006, relating to Regulation 2.2

Standard A2.2 – Wages

Insert a new paragraph 7:

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

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in accordance with applicable national laws or regulations. The terms piracy and armed robbery against ships shall have the same meaning as in Standard A2.1, paragraph 7.

**Amendments to the Code of the MLC, 2006, relating to Regulation 2.5 – Repatriation
Guideline B2.5.1 – Entitlement**

Replace paragraph 8 by the following:

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. The terms piracy and armed robbery against ships shall have the same meaning as in Standard A2.1, paragraph 7.

REFERENCES:

- MLC 2006

- ATTACHMENTS: No.

kindest Regards,
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