



TECHNICAL CIRCULAR No. 618 of 4th April 2020

To	All Surveyors/Auditors
Applicable to flag	All Flags
Title	Review of Declaration of Maritime Labour Compliance
Reference	CONARINA – Instructions- MLC

Review of Declaration of Maritime Labour Compliance

Attending auditor should check the vessel past MLC inspection(s) confirms that Flag authorization has been granted during the first onboard inspection.

1. Some Administrations have determined that the following categories of persons are not to be considered as **seafarers** under the Convention:
 - Port workers, including traveling stevedores;
 - Pilots and port officials;
 - Ship surveyors and auditors;
 - Superintendents;
 - Armed Personnel (engaged on short voyages);
 - Scientists, Researchers, Fitters and Divers
 - Equipment repair/service technicians and riding crew whose principal place of employment is ashore;
 - Guest entertainers who work occasionally and short term on board with their principal place of employment being ashore.
 - and other persons providing non-scheduled or ancillary services such as, shore-based engineers, bunker crew, members of the Armed Forces.

2. The Convention will not apply to the following types of ships:
 - Offshore units whose primary service is drilling operations for the exploration, exploitation or production of resources beneath the sea bed and are not ordinarily engaged in navigation or international voyages.
 - Yachts in non-commercial use of any size.

Customer Service Center
 5201 Blue Lagoon Drive, 9TH. Floor,
 Miami, Fl., 33126
 Tel: 1 (305) 716 4116,
 Fax: 1 (305) 716 4117,
 E-Mail:

joel@conarinagroup.com

Technical Head Office
 7111 Dekadine Ct.
 Spring, Tx., 77379
 Tel: 1 (832) 451 0185,
 1 (713) 204 6380

E-Mail: valbozen@hotmail.com

- Ships that are trading and/or operating exclusively between ports and facilities within signatory Administration.
3. The Administration considers the requirements of the Maritime Labour Convention, 2006 to be an extension of the International Management Code (ISM). Consequently, failure of flagged ship to comply with the Convention may be considered a nonconformity under the ISM Code which could lead to withdrawal of the vessel's Safety Management Certificate.

Review of Declaration of Maritime Labour Compliance (DMLC) Part II

1. A new DMLC Part I will be issued when there has been a change in the ship's particulars or when there are changes to the exemption or equivalent arrangements. A revised DMLC Part II must be provided when there is a change in the shipowner or in the measures to ensure compliance with the DMLC Part I.
2. Where the Administration has issued a combined DMLC Part I and Part II in a single document with sequential page numbering, the shipowner may, as necessary, complement the DMLC Part II, with an addendum. Where provided, the reviewing inspector should ensure that the addendum contains the unique identification number appearing on the DMLC issued by the Administration.

REFERENCES:

- CONARINA – Instructions- Courtesy of Malta Administration.
- ATTACHMENTS: No

Kindest Regards,

Val Bozenovici
Naval Architect – Conarina Technical Director

*Customer Service Center
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Miami, Fl., 33126
Tel: 1 (305) 716 4116,
Fax: 1 (305) 716 4117,
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