



# Technical Circular

No.: 137/2020

Date: 30<sup>th</sup> November 2020

## **Subject: Liberia - Amendments of 2018 to the Maritime Labour Convention, 2006**

1. The Maritime Administration of Liberia vide Marine Advisory No. 32/2020 has provided guidelines for Liberian flagged ships in respect of implementation of 2018 amendments to MLC, 2006 effective 26th December, 2020.
2. The amendments require continuation of Seafarer Employment Agreements (SEA), wages and other entitlements under SEA while seafarer is held captive on or off the ship as a result of piracy or armed robbery against ships, regardless of the dates in their employment contract.
3. Accordingly, shipowners are required to ensure that SEA and/or any applicable Collective Bargaining Agreements (CBAs) that are signed on or after 26th December 2020 incorporates the 2018 amendments to MLC, 2006.
4. The amendments do not immediately affect the validity of ML Certificates or DMLC Part I already issued to the existing Liberian ships. Existing MLC Certificates and DMLC issued shall remain valid until first Renewal MLC inspection on or after 26th December 2020. Prior to the renewal inspection, shipowners /managers are required to obtain new DMLC Part I from Liberia administration (the new DMLC Part I will include the applicable requirements of the 2018 amendments to MLC, 2006) and accordingly update the DMLC Part II to incorporate new requirements which is to be submitted to the Administration for approval. The flag approved original copies of new DMLC Part I and updated DMLC Part II are to be placed onboard prior to conduct of Renewal MLC Inspection conducted post 26<sup>th</sup> December, 2020.
5. Ship owners/ operators and masters of Liberian flagged ships are advised to be guided by above.

**Enclosure:** Liberia Marine Advisory No. 32/2020.

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THE REPUBLIC OF LIBERIA  
LIBERIA MARITIME AUTHORITY

22980 Indian Creek Drive  
Suite 200  
Dulles, Virginia 20166, USA  
Tel: +1 703 790 3434  
Fax: +1 703 790 5655  
Email: [regsandstandards@liscr.com](mailto:regsandstandards@liscr.com)  
Web: [www.liscr.com](http://www.liscr.com)

4 November 2020

Marine Advisory: 32/2020

**SUBJECT: Compliance with Amendments of 2018 to Maritime Labour Convention, 2006, as amended (MLC, 2006)**

**Reference: a) ILC.107/Amendments of 2018 to MLC, 2006  
b) Marine Notice MLC-003**

**Dear Shipowner/Operator/Master:**

The purpose of this Marine Advisory is to remind Owners, Operators and Masters that the 2018 amendments to MLC, 2006 enter into force on 26 December, 2020. The amendments have been incorporated into the July 2020 revised Marine Notice MLC-003 in **reference b)** and available on at [www.liscr.com](http://www.liscr.com).

**Background**

At the third meeting of the Special Tripartite Committee established by the Governing Body in accordance with Article XIII of the MLC, 2006, amendments to MLC 2006 related to seafarers' employment agreements, payment of wages and repatriation of seafarers while a seafarer is held captive on or off the ship were adopted on 27 April, 2018.

The amendments were approved at the 107<sup>th</sup> session of the International Labour Conference held in June 2018 and ensure that seafarers held captive on or off a ship as a result of piracy or armed robbery continue to receive their wages.

**Definitions**

The terms *piracy* and *armed robbery against ships* shall have the same meaning as in section 2. of Marine Notice MLC-003.

**Implementation**

Owners, Operators and Masters shall ensure on and after 26 December, 2020:

1. seafarers' employment agreements 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; and
2. wages and other entitlements under the seafarers' employment agreement, relevant collective bargaining agreement or applicable national laws, including the remittance of any allotments

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.

The amendments shall be incorporated into the Maritime Labour Certificate (ML Certificate) and the declaration of maritime labour compliance (DMLC) no later than the date of the first renewal inspection following entry into force of the amendments.

An amended DMLC Part I is available for:

1. all ships registering with Liberia prior to and after entry into force of the amendments;
2. all other ships prior to the first renewal inspection following entry into force of the amendments; and
3. upon request and payment of the reissuance fee.

For more information, please contact Regulations and Standards at [RegsandStandards@liscr.com](mailto:RegsandStandards@liscr.com) or telephone +1 703 790 3434.

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