

**REPUBLIC OF  
THE MARSHALL ISLANDS**



**Maritime Labour Convention, 2006  
Inspection and Certification Program**

**MARITIME ADMINISTRATOR**

**Jul/2024**

**MN 2-011-33**

## TABLE OF CONTENTS

<b>PURPOSE</b> .....	3
<b>BACKGROUND</b> .....	4
<b>DEFINITIONS</b> .....	4
<b>APPLICABILITY</b> .....	4
<b>A. Ordinarily Engaged in Commercial Activity</b> .....	4
<b>B. Fishing Vessels and Other Vessels</b> .....	4
<b>D. Mobile Offshore Units</b> .....	5
<b>E. Yachts</b> .....	5
<b>F. Non-Certified Ships, including those under 500 GT</b> .....	5
<b>G. Shipowner</b> .....	5
<b>H. Seafarers</b> .....	6
<b>REQUIREMENTS</b> .....	7
<b>1.0 Procedures for Shipowner to Obtain Certification</b> .....	7
<b>2.0 Choosing a Certifying Entity</b> .....	7
<b>3.0 Declaration of Maritime Labour Compliance</b> .....	7
<b>4.0 Inspectors and Inspections</b> .....	9
<b>5.0 Certification</b> .....	12
<b>6.0 Deficiencies and Certificate Withdrawal</b> .....	12
<b>7.0 ISM Code</b> .....	13
<b>8.0 Record Keeping</b> .....	13
<b>9.0 Seafarer Complaints</b> .....	14
<b>APPENDIX A – ADMINISTRATOR’S CRITERIA AND DETERMINATIONS</b> .....	15
<b>APPENDIX B – PROCEDURE FOR REQUESTING A DMLC PART I FROM THE ADMINISTRATOR</b> .....	17
<b>1.0 Newbuildings (constructed on or after 20 August 2013)</b> .....	17
<b>2.0 Existing Vessels (constructed prior to 20 August 2013)</b> .....	18

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**MARITIME ADMINISTRATOR**

**Marine Notice**

**No. 2-011-33**

**Rev. Jun/2024**

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**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF  
MERCHANT SHIPS, YACHTS AND RECOGNIZED ORGANIZATIONS**

**SUBJECT: Maritime Labour Convention, 2006 Inspection and Certification Program**

**References:**

- (a) **Maritime Labour Convention, 2006, ([MLC, 2006](#))**, as amended by the [2022 Amendments](#)
- (b) [MLC, 2006 Resolution VII](#), *Resolution Concerning Information on Occupational Groups – 94<sup>th</sup> (Maritime) Session of the International Labour Conference*, adopted 22 February 2006
- (c) [Guidelines for Flag State Inspections under the Maritime Labour Convention, 2006](#)
- (d) **RMI [Maritime Regulations](#)** (MI-108)
- (e) **RMI Marine Notice [2-011-13](#)**, *International Safety Management Code*
- (f) **RMI Marine Guideline [2-11-15](#)**, *Organizations Acting on Behalf of the Republic of the Marshall Islands Maritime Administrator*

## **PURPOSE**

This Marine Notice (MN) establishes the Republic of the Marshall Islands (RMI) Maritime Administrator’s (the “Administrator”) Inspection and Certification Program for the Maritime Labor Convention, 2006 (“MLC, 2006” or the “Convention”). This MN also provides the Administrator’s policy on the application of the MLC, 2006 to the offshore sector, yachts, vessels not required to be certified, and persons excepted from the definition of seafarers.

This MN supersedes Rev. Aug/2021. It has been substantially amended as follows.

MLC, 2006 requirements that were simply repeated in this MN have been removed and replaced with an umbrella mandate for their compliance. The MN now covers Administrator requirements that differ from or supplement those of the MLC, 2006.

The process for issuing a DMLC Part I to a ship constructed prior to 20 August 2013 has been modified, recognizing that the International Labour Organization (ILO) conventions on crew accommodations (C.092 and C133) are no longer needed for the certification process.<sup>1</sup> Thus, Technical Circular 2 is withdrawn upon publication of this MN.

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1. The ILO Governing Body has determined that C092 and C133 are outdated instruments. Their abrogation (permanent withdrawal) is expected in 2030.

## BACKGROUND

The [MLC, 2006](#) entered into force for the RMI on 20 August 2013. Its provisions are given effect through national laws and regulation.

The [MLC, 2006](#) contains many important clauses, including a “no more favorable treatment” clause that ensures that Member States establish a level playing field by treating all ships equally irrespective of whether the flag State of a ship has ratified the MLC, 2006.

The Administrator’s suite of MLC, 2006 requirements can be found on the webpage for the [Maritime Labour Convention, 2006](#).

## DEFINITIONS

Terms used in this MN carry the same meaning as those defined in the Convention and in the RMI [Maritime Regulations](#).

## APPLICABILITY

This Notice applies to RMI-flagged ships and seafarers in accordance with MLC, 2006, Article II as provided below.

### A. Ordinarily Engaged in Commercial Activity

The [MLC, 2006](#) applies to all ships, irrespective of tonnage, whether publicly or privately owned, which are “ordinarily engaged in commercial activity.”

For the Administrator, “commercial activity” means any endeavor undertaken for the primary purpose of generating revenue which includes, but it is not limited to, activities such as commerce, trade, chartering, towing, salvage, offshore supply/support, entertainment, marketing, research, accommodation, transit, etc.

### B. Fishing Vessels and Other Vessels

The RMI does not have laws or regulations that extend the application of the MLC, 2006 to registered ships engaged in fishing or in similar pursuits, ships of traditional build (such as dhows and junks), or ships which navigate exclusively in inland waters, waters within or closely adjacent to sheltered waters, or areas where port regulations apply.

### C. Ships of 500 GT or more

Ships of 500 GT or more to which the [MLC, 2006](#) applies, engaged in international voyages or operating from a port, or between ports, in another country, must be certified for compliance with the 16 areas of the MLC, 2006 that are subject to mandatory inspection. The working and living conditions of seafarers must be inspected and approved by the flag State before certifying a ship in accordance with MLC, 2006 Standard A5.1.3, paragraph 1. The 16 areas are enumerated in the MLC, 2006, Appendix A5-I.

## **D. Mobile Offshore Units**

The Administrator considers units engaged in exploration, exploitation, and/or processing of sea-bed mineral resources, including production, storage and offloading, maintenance, construction, or accommodation units, when on location for the purpose of conducting or supporting operations subject to the jurisdiction of a host coastal State, to be installations and not ships.

Units flagged and certified in accordance with the [MI-293](#) and other relevant applicable national laws and regulatory requirements where the subject matter is dealt with differently are considered to substantially meet [MLC, 2006](#) requirements and thus are not subject to certification under the Convention in these circumstances.

These units also are deemed to be substantially compliant with MLC, 2006 when underway for purposes of relocation or drydocking, and therefore are not subject to certification in these circumstances. Unit operators may voluntarily seek inspection and certification under the provisions of the Convention, to the extent practicable, in accordance with the procedures established by the Administrator for obtaining certification (See §1.0 below).

## **E. Yachts**

The Administrator has determined that commercial yachts, Yachts Engaged in Trade (YETs), and Passenger Yachts (PAXY) that is, yachts ordinarily engaged in chartering, regardless of tonnage are considered ships for the purpose of applying the [MLC, 2006](#) requirements.

Private yachts of any size not ordinarily engaged in commercial activities, such as chartering, are not to be considered ships for the purpose of applying the requirements of the [MLC, 2006](#).

## **F. Non-Certified Ships, including those under 500 GT**

There are ships to which the MLC, 2006 applies, but that are not required to be certified (i.e., not required to carry a Maritime Labour Certificate). These ships must still undergo full inspection, in accordance with the RMI Maritime Regulations, against the same requirements as for certified ships to the extent reasonable and practical. Ships not requiring certification are those:

- a. under 500 GT;
- b. not engaged in international voyages;
- c. not operating from a port, or between ports, in another country; or
- d. considered installations.

## **G. Shipowner**

Shipowner means the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed, by written

agreement, to take over the duties and responsibilities imposed on shipowners in accordance with this Convention, regardless of whether any other organization or persons fulfil certain of the duties or responsibilities on behalf of the shipowner. The Administrator considers this organization or person to be the certified International Safety Management (ISM) Code Company.

## **H. Seafarers**

The [MLC, 2006](#) applies to all seafarers, including the Master, on all ships to which the MLC, 2006 applies.

The MLC, 2006 recognizes in Article II, paragraph 3, that there may be doubts whether a particular category or categories of persons who may perform work on board a ship covered by the MLC, 2006 should be regarded as seafarers for the purposes of the MLC, 2006. In considering how to resolve such doubts, the Administrator, in consultation with the shipowners' and seafarers' organizations, will consider information as provided under Resolution VII adopted by 94<sup>th</sup> (Maritime) session of the International Labour Conference. The Administrator's determinations resulting from those consultations are found in Appendix A, below.

In accordance with [Resolution VII](#), the Administrator considers any person engaged or working in any capacity on board a ship and whose normal place of work is on board for the business of that ship who is **contractually** provided with social protections by either the shipowner/operator or third party that are equivalent to or are greater than those required by the MLC, 2006 to have been provided with social protections that substantially meet the Convention requirements. In all cases, the burden of proof rests with the shipowner/operator who must show through documentation during the inspection process that these requirements have been met.

## REQUIREMENTS

### 1.0 Procedures for Shipowner to Obtain Certification

To obtain MLC, 2006 certification, a shipowner must:

- 1.1 choose a certifying entity (§2.0, below);
- 1.2 obtain a DMLC Part I from the Administrator (§3.1 and Appendix B, below);
- 1.3 develop a DMLC Part II (§3.2, below);
- 1.4 be issued a DMLC (§3.0, below); and
- 1.5 successfully undergo inspection (§4.0, below).

### 2.0 Choosing a Certifying Entity

- 2.1 Shipowners must choose<sup>2</sup> either the Administrator or an authorized RO to provide MLC, 2006 inspection and certification services. A comprehensive list of authorized ROs may be found in MG [2-11-15](#).
- 2.2 Once a certifying entity is chosen, that entity will conduct the entire review, approval, inspection, and certification of the vessel's compliance with the MLC, 2006. Any deviation from this will require prior Administrator approval.

### 3.0 Declaration of Maritime Labour Compliance

The Declaration of Maritime Labour Compliance (DMLC) consists of the DMLC Part I and DMLC Part II. In accordance with MLC, 2006 Standard A5.1.3.10, the DMLC can be issued only after the DMLC Part II has been certified (refer to §3.2.3, below).

#### 3.1 DMLC Part I

- .1 The DMLC Part I ([MSD400A](#)) is issued by the Administrator. It covers RMI national laws, regulations, or provisions with respect to the 16 areas of the MLC, 2006 that are subject to inspection for certification. It details any substantial equivalencies or exemptions granted by the Administrator. A DMLC Part I is required for all vessels of 500 GT or more to which MLC, 2006 applies.
- .2 Vessels currently certified under MLC, 2006 are not required to have or renew certification for ILO C 092 or C. 133 to obtain a DMLC Part I.
- .3 Vessels transferring into the RMI that are ILO 092 and C133 certified under another flag will be assessed for compliance with MLC, 2006 Title 3, if they apply for a DMLC Part I.

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2. Choosing the same entity for [MLC, 2006](#) inspection and certification as that which certifies the ship under the ISM Code allows for the harmonization of audits, inspections, and certifications.

- .4 A new DMLC Part I must be issued for an RMI-flagged vessel if there is a change in the vessel's name or gross tonnage. A change in the vessel's management does not require a new DMLC Part I.
- .5 A valid DMLC Part I issued before 23 December 2024<sup>3</sup> may continue to be maintained until the vessel's next intermediate or renewal inspection on or after 23 December 2024, at which time a new DMLC Part I according to the revised format will be re-issued upon request from the ship operator.
- .6 Refer to Appendix B, below, for the requirements and step-by-step procedures for obtaining a DMLC Part I from the Administrator.

### 3.2 DMLC Part II

#### .1 Purpose and Preparation

The purpose of the [DMLC Part II](#) is to identify the measures adopted by the shipowner to ensure ongoing compliance with RMI national requirements detailed in the DMLC Part I. It must be prepared by the shipowner (in consultation with the selected certifying entity, if deemed necessary) and submitted to that entity for certification. The DMLC Part II must address:

- a. when ongoing compliance must be verified;
- b. persons responsible for verification;
- c. records to be taken;
- d. procedures to be followed when non-compliance is noted; and
- e. to ensure ongoing compliance, the DMLC Part II also should include general international requirements concerning advances in technology and scientific findings concerning the workplace; and

#### .2 Signing by the ISM Code Company

- a. The Administrator recognizes that ROs typically do not have a contractual relationship with the registered shipowner where the registered shipowner is not an ISM Code-certified entity operating the ship. For inspection and certification purposes, therefore, the Administrator expects the RO in every instance to look to the ISM Code Company which has assumed responsibility for the operation of the ship from the shipowner to stand in not only for itself but also for and on behalf of the shipowner as its agent when there are shared

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3. Amendments to MN [7-044-1](#) affected the paragraph numbering of that MN, and consequently the specific references to that MN in the RMI DMLC, Part I. Although the form of the DMLC Part I has been revised, there has been no change to the requirements.

responsibilities between the parties within a Shipmanagement contract. It is the Company's Safety Management System for which the RO has issued a Document of Compliance (DOC) that governs a ship's operational management and control. See MN [2-011-13](#).

- b. This applies to the signing of the DMLC Part II. The Convention recognizes that documents may be signed by a party on behalf of the shipowner and simply requires that such party is able to produce documentation showing that it is authorized to represent the shipowner. The relevant documentation in this case would be either the ship management contract or a Power of Attorney clearly stating the authority of the Company to sign the DMLC Part II "as agent for and on behalf of the shipowner in accordance with the terms and conditions provided in that certain Shipmanagement contract dated \_\_\_\_\_."
- .3 The DMLC Part II must be signed by an authorized official of the ISM Code Company and certified compliant by the RO or Administrator, as appropriate. This must be done before the ML Certificate is issued.

#### **4.0 Inspectors and Inspections**

Upon completion of the DMLC (Part I and Part II) and issuance to the shipowner, the vessel inspection process for issuing the ML Certificate must be arranged between the shipowner and the certifying entity. This may include preparatory documentation review ashore prior to the onboard inspection.

##### **4.1 Inspectors**

- .1 The Administrator has authorized inspectors to carry out any examination, test, or inquiry considered necessary to determine that the standards of the MLC, 2006 are being strictly observed.
- .2 All persons inspecting RMI ships under the [MLC, 2006](#) must have appropriate knowledge of ship operations, including those standards in MLC, 2006 Standard A5.1.2(a).

## 4.2 Inspections

- .1 The Administrator requires inspections to be conducted at the intervals required by and in conformance with [MLC, 2006](#) Standard A5.1.3. They must ensure full compliance with the RMI national requirements for MLC, 2006 certification as outlined in the DMLC Part I. A summary of the inspection requirements is provided in Table 1.

<b>Summary of Inspection Requirements</b>		
<b>Inspection</b>	<b>Purpose</b>	<b>Administrator Requirements and Comments</b>
Initial Inspections	To ensure full compliance with RMI national requirements implementing the MLC, 2006 as outlined in the DMLC, Part I	An initial inspection may be carried out provided there is sufficient evidence that the Shipowner's measures specified in the DMLC Part II have been implemented for at least two months. <sup>4</sup>
Intermediate Inspections	To ensure continuing compliance	Between 2 <sup>nd</sup> and 3 <sup>rd</sup> anniversary dates of the certificate  Scope and depth must be equal to an inspection for renewal of the ML Certificate  ML Certificate must be endorsed by certifying entity following satisfactory intermediate inspection
Renewal Inspections	To ensure full compliance with RMI national requirements implementing the MLC, 2006 as outlined in the DMLC, Part I	Within three months before the expiry of the existing ML Certificate  Must encompass inspections for all requirements (per Initial inspection)

- .2 To verify that RMI national requirements are being complied with and that the shipowner's measures have been correctly implemented and followed, an inspector must obtain supporting objective evidence by:
- a. inspecting the relevant areas of the ship;

<sup>4</sup> Administrator requirement.

- b. examining further documentation such as passports or other official documents, medical certificates, training records, crew lists and payroll records, seafarer employment agreements, safe manning documents and work and rest schedules; and
- c. interviewing, in private, a representative number of seafarers, taking account of the need to preserve confidentiality and of the seafarers' work and rest schedules.

#### 4.3 Inspections for Change of Flag into the RMI

- .1 When a vessel changes flag into the RMI, a ML Certificate with a validity for the remaining period on the certificate that is being replaced may be issued by the certifying entity upon the vessel undergoing an inspection where the following conditions exist:
  - a. the vessel has a valid ML Certificate;
  - b. the vessel has no MLC, 2006-related deficiencies;
  - c. the vessel is changing flag within the Company's managed fleet;
  - d. the vessel holds a full-term RMI Safety Management Certificate (SMC);
  - e. the Owner remains the same;
  - f. the (MLC) RO remains the same;
  - g. an RMI DMLC Part I has been issued and the DMLC Part II has been reviewed to the satisfaction of the RO;
  - h. the onboard complaint procedure has been amended, as necessary;
  - i. the certificates or other documentary evidence of financial security have been amended, as necessary, and copies have been provided to the Administrator; and
  - j. the seafarers' employment agreements have been amended, as necessary.
- .2 If any of the above listed conditions cannot be met, then the vessel must be treated as a vessel entering the RMI Maritime Registry and be issued an Interim ML Certificate.

## 5.0 Certification

### 5.1 Interim Maritime Labour Certificate

- .1 An Interim Maritime Labour Certificate (IMLC) may be issued for a period not exceeding six months in accordance with MLC, 2006 Standards A5.1.3(5) through A5.1.3(8). A
- .2 The DMLC does **not** need to be issued for the period of validity of the IMLC.

### 5.2 Full-Term ML Certificate

- .1 The Full-Term ML Certificate issued by the RO or Administrator attests that seafarer working and living conditions aboard a ship meet all RMI laws and regulations that govern the implementation of the MLC, 2006. It can be issued or renewed only after completion of a satisfactory inspection of RMI national requirements for the 16 areas for implementing the MLC, 2006 in the manner as detailed in the DMLC for a minimum period of two months, in accordance with RMI requirements.<sup>5</sup>
- .2 A Full-Term ML Certificate must have attached to it a DMLC and any record of inspection as detailed in §8.3, below.
- .3 An ML Certificate may be issued for a period not exceeding five years and will be subject to an intermediate inspection between the second and third anniversary dates of the issue date.
- .4 In accordance with MLC, 2006 Standard A5.1.3.12, a copy of the current valid ML Certificate and DMLC must be carried onboard the ship with a copy posted in a conspicuous place so that it is available to the seafarers.

### 5.3 Causes for Invalidation

An ML Certificate or IMLC will cease to be valid in any of the cases in MLC, 2006 Standard A5.1.3(14).

- 5.4 Because MOUs are considered installations, they are not required to be certified. However, upon request they may be issued a National Statement of Compliance by the Administrator. This Statement confirms their status as installations as provided above in APPLICABILITY, paragraph D.

## 6.0 Deficiencies and Certificate Withdrawal

- 6.1 An RO, or other authorized inspector, must require the rectification of deficiencies in seafarers' working and living conditions that have been identified as the result of an inspection and must carry out inspections in this regard at the request of a port

State control authority. Where there are grounds to believe that deficiencies constitute a serious breach of the MLC, 2006 (including seafarers' rights), or represent a significant danger to seafarers' safety, health or security, an inspector must, with the authorization of the Administrator, prohibit a ship from leaving port until necessary corrective actions are taken.

- 6.2 An ML Certificate or IMLC must be withdrawn by the Administrator, or RO with the authorization of the Administrator, if there is evidence that a ship does not fully comply with the MLC, 2006 requirements and that the necessary corrective actions have not been taken. When considering the withdrawal of an ML Certificate, the seriousness and frequency of the deficiencies must be considered.
- 6.3 Where there is no clear breach of the requirements that endangers the safety, health, or security of the seafarers, and where there is no prior history of similar breaches, an RO may give advice and ensure that action is taken to remedy the deficiencies found instead of instituting or recommending withdrawal of an ML Certificate.
- 6.4 If the Administrator receives a complaint that is not manifestly unfounded or obtains evidence that a ship that flies its flag does not conform to the requirements of the MLC, 2006 or that there are serious deficiencies in the implementation of measures set out in the DMLC, the Administrator, or RO with the authorization of the Administrator, must undertake to investigate the matter and ensure that action is taken to remedy the deficiencies found.

## **7.0 ISM Code**

- 7.1 The Administrator considers elements of the MLC, 2006 to be an extension of the ISM Code and an essential part of meeting the Code's objectives of maintaining compliance with international conventions through the Company's Safety Management System.
- 7.2 Failure of an applicable RMI-flagged vessel to comply with the MLC, 2006 may be considered a non-conformity as defined in the ISM Code, resulting in the possible withdrawal of the vessel's Safety Management Certificate (SMC), and possibly the Company's DOC.
- 7.3 In the event of certification withdrawal, reinstatement of certification must not occur until the certifying entity and, if the situation warrants, the competent authority of the Member State under whose jurisdiction the vessel is located are able to advise the Administrator that they are satisfied with the Company and vessel's compliance with the MLC, 2006.

## **8.0 Record Keeping**

### **8.1 ML Certificates**

ROs must maintain publicly available records of ML Certificates issued and provide the Administrator with an electronic file copy in the form of a scanned PDF of each ML Certificate issued.

## 8.2 Inspection Reports

RO inspectors must submit a report of each inspection to the Administrator. The RO must supply one copy of the report in English, and, if necessary, one in the working language of the ship to the master of the ship. The ship's master must post a copy set on the ship's notice board for the crew.

## 8.3 Inspection Records

A record of inspections must be kept by the Master with any significant deficiencies found during the inspection noted and their date of remedy recorded. This record,

if not in English, must be accompanied by an English-language translation and appended to the DMLC so that it is available to seafarers, flag State inspectors, authorized officers in port States and shipowners' and seafarers' representatives.

## 8.4 Investigation Report

In the case of an investigation pursuant to a major incident, an RO or other authorized inspector must submit a report to the Administrator as soon as practicable, but not later than one month following the conclusion of the investigation.

## 8.5 Change of Flag – Document Transmission

If a ship leaves the RMI flag and the gaining flag State concerned has ratified the MLC, 2006, the RO on behalf of and upon notification of the Administrator, must transmit to the competent authority of the other Member copies of the ML Certificate and DMLC carried by the ship before the change of flag and, if applicable, copies of the relevant inspection reports if the gaining flag State competent authority requests them within three months after the change of flag has taken place. Likewise, for a ship entering the RMI flag, the Administrator will expect the same information to be provided to it when requested of the previous flag State.

## 9.0 Seafarer Complaints

### 9.1 On-board Compliant Procedures

Each shipowner must provide for on-board procedures for the fair, effective, and expeditious handling of seafarer complaints alleging breaches of the requirements of the MLC, 2006, including seafarers' rights. Refer to MN [7-053-1](#), *On-Board Complaint Procedures*.

### 9.2 Confidentiality

All inspectors must treat as confidential the source of any grievance or complaint alleging a danger or deficiency in relation to seafarers' working and living conditions, or a violation of laws and regulations; and give no intimation to the shipowner, the shipowner's representative, or the operator of the ship that an inspection was made as a consequence of such a grievance or complaint.

## APPENDIX A – Administrator’s Criteria and Determinations

### 1.0 Administrator’s Criteria

The Administrator reviews every situation individually when issuing a DMLC Part I to better understand how [Resolution VII](#) is applied in practice. However, the following questions (addressing duration, frequency, location, purpose, and protections) should be considered.

- 1.1 **Is the normal place of work on board the ship?** If not, then these persons would not be considered seafarers. Such persons would be considered supernumeraries or if on board for accommodations or transport, industrial personnel.
- 1.2 **Is the person’s principal place of employment ashore and not part of the routine business of the ship?** If so, then these persons would not be considered seafarers.
- 1.3 **Is the person’s work aboard the vessel on an occasional and short-term basis?** If so, these persons would not be considered seafarers.
- 1.4 **Is the person contractually provided with social protections that are equal to or greater than those required by MLC for seafarers?** If yes, then these persons would be deemed by the Administrator as having substantially equivalent protections.

### 2.0 Administrator’s Determinations

- 2.1 Privately Contracted Armed Security Personnel (PCASPs) are considered supernumeraries by the Administrator. However, all guidelines for the engagement of PCASP must be followed and suitable accommodations provided.
- 2.2 Other supernumeraries not considered seafarers include harbor pilots; North Sea/Canal pilots; Amazon River pilots; short sail attendance of service engineer and repair technicians; ship inspectors; auditors; superintendents; cargo supervisors, as well as specialist staff such as scientists, researchers, guest entertainers, and lecturers.
- 2.3 Riding gang members, tank cleaning crews and port workers are not considered seafarers. This would include someone who is not a documented seafarer and who does not perform watchstanding, automated engine room duty watch, or personnel safety functions; or cargo handling functions, including any activity relating to the loading or unloading of cargo, the operation of cargo-related equipment (whether integral to the vessel); does not serve as part of the crew complement; and is not a member of the catering/mess crew.

- 2.4 Cadets are seafarers for which suitable accommodation onboard ships must be made available while undergoing mandatory shipboard training. Cadets enrolled in a National or other training program that requires onboard experience may hold a training agreement in lieu of a seafarers employment agreement, so long as the training agreement provides contractual arrangements to ensure that a cadet has the substantially equivalent information and protections as afforded by a seafarers' employment agreement.
- 2.5 Cruise ship personnel such as hotel staff, restaurant and galley staff, shopkeepers, resident entertainers, spa personnel, hairdressers, casino operators, and others who are directly employed by the cruise operator or are employed by an outsourced franchise company are seafarers.
- 2.6 Personnel under the employ or contract of the charterer of a yacht are not considered seafarers and must be the responsibility of the charterer. Nevertheless, such personnel must not be brought on board unless suitable accommodation and safety equipment can be provided.
- 2.7 Personnel engaged on vessels doing pipe laying, cables laying, ROV, surveys, subsea operations with construction crews; ranks such as riggers, riggers foreman, offshore construction managers, surveyors, divers, technicians, medics etc. who are working onboard the vessel for extended periods as part of the normal working complement, while not considered seafarers, and whether employed by the vessel operator or not, will be expected to have at least the same level of social protection as the marine crew.

## APPENDIX B – Procedure for Requesting a DMLC PART I From the Administrator

All requested information must be supplied to the Administrator before a DMLC Part I will be issued.

### 1.0 Newbuildings (constructed on or after 20 August 2013)

Newbuildings must comply with [MLC, 2006](#), including the construction and equipment requirements as implemented by MN [7-044-1](#).

1.1 **Step 1:** A newbuilding that does not meet the MLC, 2006 requirements must perform a gap analysis of ship and Company policies against the RMI National provisions as outlined in RMI Form [MSD400A](#), DMLC Part I.

1.2 **Step 2:** Areas of concern as identified in the gap analysis (Step 1) must be brought to the attention of the Administrator for evaluation by email at: [regulatoryaffairs@register-iri.com](mailto:regulatoryaffairs@register-iri.com). This includes the probable need for:

- .1 a determination of categories of persons to be excluded under the definition of “seafarer” in accordance with Resolution VII. Refer to Appendix I, below); or
- .2 any substantial equivalencies or exemptions under Title 3.

1.3 **Step 3:** If exemptions are required, as determined by the gap analysis (Step 1), the following information must be provided:

- .1 **Keel Laying Date:** to determine the applicable requirements;
- .2 **the General Arrangement (GA) plan:** an electronic copy (PDF) for review.
- .3 **Accommodations Furnishings Plan** (or equivalent documentation) (PDF): showing all furnishings and miscellaneous outfit provided for the personal use of each occupant, and:
  - a. Minimum headroom in each space;
  - b. Overall dimensions and total floor area of each sleeping room;
  - c. Dimensions of clear floor area, not covered by furniture (for yachts only);
  - d. Berth dimensions; and
  - e. Volume of lockers and/or storage spaces.
- .4 **Mess Room:** is the mess room sufficient for the number of persons likely to use it at any one time?
- .5 **Room Assignments:** if not already shown on the GA or Accommodations Furnishings Plan.

- .6 **Other Relevant Information:** as issued by the Classification Society or other entities (shipyard, nautical architects, etc.).
- 1.4 **Step 4:** Send a formal request for issuance of the DMLC Part I to the Administrator at: [regulatoryaffairs@register-iri.com](mailto:regulatoryaffairs@register-iri.com). It must contain the following information for each vessel:
  - .1 Vessel name;
  - .2 IMO number;
  - .3 Gross Tonnage (GT) from the International Tonnage Certificate (ITC) or an Attestation of Tonnage from the RO; and
  - .4 The information contained in Step 2, above, for determining exemptions, if applicable<sup>6</sup>.
- 1.5 **Step 5:** The Administrator will then issue to the requestor the DMLC Part I as a PDF containing a Unique Tracking Number (UTN).
  - .1 If an ITC or an Attestation of Tonnage has not yet been issued, the Administrator will provide a temporary electronic DMLC Part I with “To Be Determined (TBD)” in the Gross Tonnage section. This will allow the certifying entity to note whether any substantial equivalencies or exemptions have been granted.
  - .2 Once the ITC or Attestation for the vessel has been issued, the ship operator must send it as a PDF to [regulatoryaffairs@register-iri.com](mailto:regulatoryaffairs@register-iri.com). This will allow the Administrator to subsequently issue an official electronic DMLC Part I with the correct GT.

## 2.0 Existing Vessels (constructed prior to 20 August 2013)

The MLC, 2006 Title 3 construction and equipment standards do not apply to vessels constructed prior to 20 August 2013.

### 2.1 Change of Flag

- .1 **Step 1:** Vessels transferring into the RMI must submit to the Administrator at: [regulatoryaffairs@register-iri.com](mailto:regulatoryaffairs@register-iri.com) the following information:
  - a. Vessel name;
  - b. IMO number;
  - c. Gross tonnage;

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6. The Administrator may request the information listed in Step 2, above, even if no request for exemptions has been made.

- d. A PDF of the previously issued DMLC Part I;
- e. Ships that do not have an existing Maritime Labour Certificate must provide a:
  - i. PDF of previous certificates or statements of compliance related to crew accommodations, such as for C092 and C133, that were issued on behalf of the previous flag State; or
  - ii. statement on the level to which they have or have not “substantially met” the requirements of MLC, 2006 Title 3.

This documentation will be accepted by the Administrator, to the extent reasonable and practicable, for the purpose of issuing a DMLC Part I.

- f. Since the vessel is not within the RMI Long Range Identification and Tracking system, the current location of the vessel, or position if at sea (latitude and longitude), at the time of request.

- .2 **Step 2:** The Administrator will then issue to the requestor the DMLC Part I as a PDF containing a Unique Tracking Number (UTN).

## 2.2 RMI- Flagged Vessels

- .1 **Step 1:** Submit the information requested in Step 1 of §B2.1, above, except for items .e and .f which do not apply.
- .2 **Step 2:** The Administrator will then issue to the requestor the DMLC Part I as a PDF containing a Unique Tracking Number (UTN).