



**REPUBLIC OF  
THE MARSHALL ISLANDS**  
**MARITIME ADMINISTRATOR**

**Marine Notice**

**No. 7-052-3**

**Rev. Jun/2024**

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

**SUBJECT: Liability Insurance for Seafarer Abandonment, Death, and Long-Term Disability**

**References:** (a) **Maritime Labour Convention, 2006, ([MLC, 2006](#))**, as amended by the [2022 Amendments](#)  
(c) **RMI [Maritime Act 1990](#)**  
(d) **RMI [Maritime Regulations](#) (MI-108)**  
(e) **RMI Marine Notice [2-023-1](#), *Proof of Liability Insurance***

## **PURPOSE**

This Marine Notice (MN) provides the Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) requirements for liability insurance for seafarer abandonment, death, and long-term disability under the Maritime Labour Convention, 2006 (MLC, 2006).

It supersedes version Feb/2019 and it incorporates streamlined content and directly relevant references to the [MLC, 2006](#) instead of repeating its requirements. Additionally, the [2022 Amendments](#) to the MLC, 2006 that enter into force on 23 December 2024 have been integrated in §2.0, as appropriate.

## **BACKGROUND**

On 11 June 2014, the International Labour Organization (ILO) adopted amendments to the MLC, 2006:

Standard A2.5 was amended to require a financial security system to be provided to assist seafarers in the event of abandonment.

Standard A4.2 was amended to provide minimum requirements for financial security for compensation of contractual claims in the event of death or long-term disability of seafarers.

An important objective of the amendments is to provide seafarers with direct access to compensation, sufficient coverage, and expedited financial assistance. Both sets of amendments entered into force 18 January 2017.

## APPLICABILITY

This MN applies to all RMI-flagged vessels except:

- a. Pleasure Yachts; and
- b. those without Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)-certified personnel working onboard in their recognized professional capacity under a seafarers' employment agreement (SEA). Vessels to which this applies are, for example, unmanned barges and non-self-propelled jackup rigs.

## DEFINITIONS

**Abandonment** - A seafarer will be deemed to have been abandoned where, in violation of the requirements of the [MLC, 2006](#) or the terms of the SEA, the shipowner:

1. fails to cover the cost of the seafarer's repatriation; or
2. has left the seafarer without the necessary maintenance and support; or
3. has otherwise unilaterally severed their ties with the seafarer including failure to pay contractual wages for a period of at least two months.

**Contractual Claim** means any claim which relates to death or long-term disability of a seafarer due to an occupational injury, illness, or hazard as set out in national law<sup>1</sup>, the SEA or collective bargaining agreement (CBA).

**Necessary Maintenance and Support** shall include adequate food, accommodation, drinking water supplies, essential fuel for survival on board the ship and necessary medical care, and any other reasonable costs or charges arising from the Abandonment until the seafarer's arrival home.

**Pleasure Yacht** means a private yacht as defined in RMI Maritime Regulations ([Maritime Regulations](#)) §1.03.19.

## REQUIREMENTS

### 1.0 Financial Security

- 1.1 All RMI-flagged vessels to which this Notice applies must at all times maintain satisfactory third-party liability insurance in accordance with the [Maritime Regulations](#).

- 1.2 Abandonment

The liability insurance required by the [Maritime Regulations](#), with respect to abandonment must be sufficient to cover:

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1. See the RMI [Maritime Act 1990](#), §836 (Wages, maintenance and cure) and §837 (Benefit of compensation for loss of life), and RMI Maritime Regulations, §7.50 (Benefit of Compensation for Loss of Life).

- .1 outstanding wages and other entitlements due from the shipowner to the seafarer under their employment agreement, a relevant CBA, and the RMI [Maritime Act](#) and [Maritime Regulations](#), limited to four months of any such outstanding entitlements;
- .2 all expenses reasonably incurred by the seafarer, including the cost of repatriation in accordance with the Maritime Regulations; and
- .3 the essential needs of the seafarer and any other reasonable costs, or charges arising from the abandonment.

### 1.3 Long-term Disability and Death

- .1 The liability insurance required by the Maritime Regulations §7.52.1 must ensure compensation for Contractual Claims in the event of death or long-term disability of seafarers due to occupational injury, illness, or hazard.
- .2 Contractual Claims must be addressed and settled directly between the financial security provider and seafarer.
- .3 Contractual Claims must be paid in full and without delay.
- .4 A seafarer must not be pressured to accept a payment less than the contractual amount.

### 1.4 Validity of Financial Security and Notifications

- .1 Shipowners must notify their seafarers if the financial security is to be cancelled or terminated.
- .2 Financial security providers must notify the Administrator if any RMI shipowner's financial security is cancelled or terminated, or is to be cancelled or terminated, 30 days in advance of any such termination.
- .3 Financial security must not cease before the end of the period of its validity in accordance with [MLC, 2006](#), Standard A4.2.12.

## 2.0 Certificates of Financial Security

- 2.1 All RMI-flagged vessels that are required to be MLC, 2006 certified or have opted for voluntary certification under MLC, 2006 must carry on board certificates or other documentary evidence of financial security to show compliance with MLC, 2006:
  - .1 [Standard A2.5.2](#): Shipowner liability in cases of abandonment; and

- .2 [Standard A4.2.1](#): Treatment of Contractual Claims-death and long-term disability.

For vessels under 500 gross tons that are not required to be certified, refer to the RMI Maritime Regulations, §7.52.

- 2.2 The certificate or other documentary evidence of financial security required must include the information contained in MLC, 2006, Appendices A2-1 and A4-1. It will be issued to the shipowner, or the registered owner if different from the shipowner, by the financial security provider (Protection and Indemnity (P&I) Club or other insurer).
- 2.3 Mobile Offshore Units (MOUs) that self-insure in accordance with the [Maritime Regulations](#), §2.23 must document the nature, amount, and security of the liability reserve in lieu of an attestation from the financial security provider that the financial security meets the requirements of MLC, 2006 Standards A 2.5.2 and A4.2.1.
- 2.4 Generally, two certificates will be issued: one to meet Standard A2.5.2 and one to meet Standard A4.2.

Where more than one financial security provider supplies cover, the documents provided by each provider must be carried on board. MOU operators opting to self-insure may provide the required documentary evidence directly to the Administrator via a certified letter.

- 2.5 A copy of the certificates or documentary evidence must be posted in a conspicuous place on board the vessel where it is available to the seafarers.
- 2.6 A copy of the certificates or documentary evidence must be forwarded by the shipowner to the Administrator at: [registrations@Register-iri.com](mailto:registrations@Register-iri.com).
- 2.7 See MN [2-023-1](#) for the requirements governing third party liability insurance.