

Maritime Labour Convention, 2006: Declaration of Maritime Labour Compliance (draft)

Maritime Labour Convention Reg 5.2.1 Port State Responsibilities (2)

"Each Member shall accept the Maritime Labour Certificate and The Declaration of Maritime Labour Compliance required under Reg 5.1.3 as prima facie evidence of compliance with the requirements of this Convention (including seafarers' rights). Accordingly, the inspection in its ports shall, except in the circumstances specified in this Code, be limited to a review of the certificate and declaration."

Declaration of Maritime Labour Compliance (DMLC)

The Declaration of Maritime Compliance is in two parts.

DMLC-Part I

This is to be completed by the attending surveyor. It will:

- identify the topics for inspection
- list the relevant pieces of legislation implementing the MLC, together with any 'substantial equivalents' and exemptions that have been granted

DMLC Part II

This is to be filled in by the shipowner, then verified by the attending surveyor when the first inspection is completed. It details:

- the measures adopted by the shipowner to make sure of continued compliance with the national requirements (the 14 items listed in Appendix A5.1 of the MLC)
- the measures proposed to make sure of continuous improvement

What should be included in the DMLC-Part II

It's important that the DMLC-Part II is drafted in clear terms, and helps everyone involved to easily check that the requirements are being put in place.

Shipowners with ships under a number of flags

Consideration should be given to keeping the DMLC-Part II generic, to avoid having to produce one specifically for each flag state.

Detailed guidance can then be contained within other referenced documents.

The measures included in the DMLC-Part II should show:

- the occasions when continued compliance with UK legislation will be verified

- who is responsible for verification
- the records to be taken
- the procedure to be followed where non-compliance with the MLC, 2006 is noted

The DMLC-Part II may take a number of forms. It could refer to procedures adopted as part of the Safety Management System, as required by the International Management (ISM) Code.