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MLC AMENDMENTS COMING INTO FORCE IN JANUARY 2019

| ISSUING UNIT (NAME) | AUTHOR | APPROVED | TYPE OF UPDATE |
|-------------------------------|----------------|-----------------|-----------------|
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2016 AMENDMENTS TO THE MARITIME LABOUR CONVENTION (MLC), 2006

The MLC amendments 2016 will enter into force on 8 January 2019 and will affect Part B of Reg. 4.3 and Part A of Reg. 5.1.

Harassment and bullying

Seafarers should be better protected against harassment and bullying.

Guideline B4.3.1 of Regulation 4.3 Health and safety protection and accident prevention has been amended and refers to the latest version of the *Guidance on eliminating shipboard harassment and bullying* followed by a new subparagraph (d) *harassment and bullying*.

The Guidance (developed jointly by the International Chamber of Shipping (ICS) and International Transport Workers' Federation (ITF)) is available on the Management System SharePoint. As per this Guidance, harassment and bullying are defined as follows:

Harassment includes any inappropriate and unwelcome conduct which, whether intentionally or not, creates feelings of unease, humiliation, embarrassment or discomfort for the recipient.

Bullying is a particular form of harassment that includes hostile or vindictive behaviour, which can cause the recipient to feel threatened or intimidated.

Maritime Labour Certificate

Following the MLC 2016 Amendments, the competent authority is allowed to extend the validity of the Maritime Labour Certificate for a maximum period of five months from the expiry date of the existing certificate. This is conditional on the renewal inspection being completed successfully and a new certificate cannot be issued immediately on board the ship.

This amendment is handled under Standard A5.1.3 paragraph 4 and brings the procedure for the renewal of the Maritime Labour Certificate into line with the procedure for the certificates adopted under IMO Conventions.

Enforcement

Since the amendments to Regulation 4.3 relate to part B (Guideline) only, they are not mandatory. The amendments to Regulation 5.1, which relate to Part A of the Code, enter into force on 8 January 2019.

Until now, we have not received any national instructions from flag states in this respect. Considering the content of the amendments, we do not expect any changes within DMLC Part I, and consequently no review of the DMLC will be necessary.

If a flag administration specifies instructions on the MLC 2016 Amendments, Flag IT will be updated accordingly. A new template of the Maritime Labour Certificate will be available as from 8 January 2019.

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