

GIBRALTAR MARITIME ADMINISTRATION
(Ministry of Maritime Affairs)



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MLC Guidance Notice – 027

MLC Guidance Notice 026 is now cancelled

A Route to MLC certification (amended 07 .08.13)

To: Ship Owners, Operators, Masters, Officers and Classification Societies

The Maritime Labour Convention (MLC 2006) was ratified by the United Kingdom 07 August 2013 and extended to Gibraltar on the same day. The Convention will come into force internationally on 20 August 2013 and, notwithstanding the transitional provisions, it is the Gibraltar Administration's intention to give it full effect. We have prepared our guidance literature and domestic legislation* accordingly.

Given that the implementation date is imminent, the Gibraltar Maritime Administration proposes to continue the delegation, on a case-by-case basis, of MLC 2006 related services, inspections and certification to approved Classification Societies. (ABS, BV, GL, LR, NKK, RINA, DNV). Please find the procedure below.

1. Ship-owner** applies for DMLC I to the Flag State, including notification of which Class Society the ship-owner prefers to undertake the MLC review and inspection on behalf of Flag State;
2. At the same time, the ship owner requests Flag State for any exemptions and substantial equivalences that the ship-owner considers may be necessary. ***
3. In exceptional circumstances Flag State may include an exemption or acceptance of a substantial equivalence on the DMLC Part I.
4. DMLC Part I issued by Flag to ship owner, copied to designated Class Society;
5. Preparation of DMLC II by the ship-owner **;
6. Submission of DMLC I + II for review to designated Class Society;
7. The result of a satisfactory review is communicated to ship owner by Class;
8. Ship owner applies to Class for an on-board inspection;
9. On board inspection. During the on-board inspection, the Class Maritime Labour Inspector will verify compliance with the ship's national requirements *;

10. Issuance of an MLC Certificate. After a successful inspection has been conducted, the Class Maritime Labour Inspector will sign and stamp the DMLC Part II and issue a Maritime Labour Convention Certificate. The original DMLC Parts I & II and the Statement shall be retained on board.
 11. For ships which have already been issued with Statements of Compliance, these remain valid. On expiry of the Statement of Compliance, Class will issue an MLC Certificate based on the Statement of Compliance.
 12. To avoid potential problems with some Port State Control offices, ship-owners may request the Statement of Compliance to be replaced with an MLC Certificate before expiry of the Statement of Compliance.
- *A copy of the draft national legislation may be obtained from the GMA on request.
 - ** Ship owner refers to ship owner, operator or ship manager as defined by MLC that appears on the DMLC Part II and MLC Statement of Compliance / Certificate. **For the purposes of MLC, unless otherwise agreed by the Maritime Administrator, the ship owner shall be the ISM DOC holder.**
 - *** A request for an exemption or substantial equivalence shall be made using the MLC Exemption / Substantial Equivalence form available on the GMA website.

Richard Montado

Maritime Administrator

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All notices are available through www.gibraltarship.com This copy of the Administrative Instruction has been sent electronically and does not carry a signature or official stamp. A sign and stamped copy will be available upon request