



Maritime Labour Notice (MLN) – 036(a)
Supersedes MLN 036

To: Ship owners, Masters, Operators, Recognised Organisations, and Certifying Authorities

Revised Application of the Maritime Labour Convention (MLC) 2006 for Vessels less than 500 GT

This MLN provides guidance for new workboats, tugs and other vessels of 200GT to less than 500GT on compliance with Gibraltar Merchant Shipping (Maritime Labour Convention) Regulations 2013, and the Maritime Labour Convention 2006 in respect of accommodation requirements.

Implementation of these guidelines will be taken as evidence of compliance with the Gibraltar regulations.

The guidelines do not preclude an organisation from demonstrating an equivalent or higher standard as an “alternative

Associated requirements referred to in this notice:

Maritime Labour Convention 2006

Gibraltar Merchant Shipping (Maritime Labour Convention) Regulations 2013 (as amended)

Most regulations and notices are available on the Gibraltar Government website www.gibraltarship.com

Latest versions of abovementioned requirements are applicable and must be referred to

1. Introduction

- 1.1. The Maritime Labour Convention, 2006 (MLC) came into force internationally on the 20th August 2013. The MLC consolidates and updates over 60 maritime labour instruments adopted by the International Labour Organization (ILO), introduces some new standards, as well as consolidating and updating existing requirements. The MLC applies standards on seafarer living and working conditions to vessels which have not previously been covered by international convention. The MLC provides a comprehensive set of global maritime standards for all seafarers on vessels to which the MLC applies.
- 1.2. By virtue of the Gibraltar Merchant Shipping (Maritime Labour Convention) Regulations 2013 (as amended), MLC has been fully in force for Gibraltar registered vessels since 20th August 2013.
- 1.3. Gibraltar registered vessels operating internationally other than those exclusively engaged in operations within the confines of British Gibraltar Territorial Waters, must be in compliance with the Gibraltar Merchant Shipping (Maritime Labour Convention) Regulations 2013, and the Maritime Labour Convention 2006 as amended.
- 1.4. In respect of Gibraltar registered vessels, the authority responsible for overseeing MLC compliance is the Gibraltar Maritime Administration (GMA).

2. Application of this notice

2.1. This MLN applies to Gibraltar registered vessels operating under the following standards and other seagoing vessels of between 200GT and 500GT in commercial use;

- Marine Guidance Note 280(M) - Small vessels in commercial use for sport or pleasure, workboats or pilot boats – Alternative construction standards, encompassing:
 - The Code of practice for the safety of small commercial motor vessels (the Blue Code)
 - The Code of practice for the safety of small commercial sailing vessels (the Yellow Code)
 - The Code of practice for the safety of small vessels in commercial use for sport or pleasure operating from a nominated departure point (the Red Code)
 - The Code of practice for the safety of small workboats and pilot boats (the Brown Code)
- The Workboat Code Edition 3
- International Association of Classification Societies (IACS) - Recommendation No. 99

3. Survey & Inspection

- 3.1. Gibraltar registered vessels of less than 500 GT operating commercially internationally are not subject to MLC certification requirements. Such vessels are however required to carry a record of MLC inspection report for vessels under 500 GT which is valid for 3 years in order to demonstrate compliance with MLC.
- 3.2. MLC ship-owners of Gibraltar registered vessels of less than 500 GT may request full MLC certification from the GMA which would be valid for a maximum period of 5 years and subject to periodical inspections. In such cases a Declaration of Maritime Labour Compliance (DMLC) Part I stating the national requirements must be requested from the GMA, with a DMLC Part II drawn up by the shipowner which shall identify the measures adopted to ensure ongoing compliance with the national requirements set out in DMLC Part I. The measures declared within the DMLC Part II will be verified by the authority undertaking periodical shipboard inspections required under MLC (initial, intermediate, and renewal), with the DMLC Part II normally approved by the authority at the time of the initial inspection, following changes to the measures declared on the DMLC Part II, or following amendments to National Regulations and/or the MLC Convention.
- 3.3. Subject to section 3.2 of this MLN, a Valid MLC Certificate, DMLC Part I, and an approved DMLC Part II must remain always available on the vessel and made available for inspection by appropriate authorities.
- 3.4. The periodical inspections required by the Gibraltar Merchant Shipping (Maritime Labour Convention) Regulations 2013 and MLC 2006 (as amended), are undertaken by duly appointed GMA surveyors or may be delegated to the GMA's Recognised Organisations.

4. Substantial Equivalence for crew accommodation for vessels of 200GT to less than 500GT

- 4.1. Gibraltar Merchant Shipping (Maritime Labour Convention) Regulations 2013 and MLC 2006 make provisions for a "substantial equivalence" where it is not practical to comply with the full MLC standards.
- 4.2. In respect of crew accommodation requirements for vessels between 200 GT and less than 500 GT, Gibraltar via virtue of the Gibraltar Merchant Shipping (Application of United Kingdom Provisions and Standards) Regulations 1997, invokes the substantial equivalence contained within Annex I of the United Kingdom's Marine Guidance Notice (MGN 602) (M) as amended.

5. Further Information

- 5.1. Requests for further information related to this MLN should be directed to the GMA Survey Division via;
maritime.survey@gibraltar.gov.gi

Steve Gomez – Chief Surveyor

For & on behalf of the Maritime Administrator

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All notices are available via <https://gibraltarship.com/notices/maritime-labour-notices>

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