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To,
OWNERS/MANAGERS, DEPUTY REGISTRARS,
CLASSIFICATION SOCIETIES/RECOGNIZED ORGANIZATIONS

**SUBJET: PROCEDURES RELATED TO THE CERTIFICATION OF VESSELS ACCORDING TO
MARITIME LABOR CONVENTION 2006**

1. Purpose

- 1.1. The purpose of this Circular is to inform all parties concerned about the procedures which shall be followed in order a vessel which flies the flag of Comoros to be certificated according to the Maritime Labor Convention 2006.

2. Definitions

- 2.1. International voyage is a voyage from a country to a port outside such a country;
- 2.2. Shipowner is the owner of the ship or another organization or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over the duties and responsibilities imposed on Shipowners in accordance with this Convention, regardless of whether any other organization or persons fulfill certain of the duties or responsibilities on behalf of the Shipowner.
- 2.3. Anniversary date is the day and month of the year which correspond to the date of expiry of the Maritime Labor Statement of Compliance.

3. Application

- 3.1. This Circular will enter into force on 18 February 2025, following the ratification of the Maritime Labor Convention 2006 by the Flag Administration of Comoros on 18 February 2024;
- 3.2. This Circular applies to all ships flying the flag of Comoros with a gross tonnage of 500 GT or more, engaged in:
 - a) International voyages;
 - b) Operating from a port, or between ports in another country;
 - c) Ships not falling in the above categories may be certified voluntary.

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- 3.3. This Circular does not apply to ships which navigate
- Exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas where port regulations apply;
 - Ships engaged in fishing or in similar pursuits;
 - Ships of traditional build such as dhows and junks;
 - Warships or naval auxiliaries.
- 3.4. Ships required to be certified according to the requirements of the Maritime Labor Convention 2006 shall carry and maintain a Maritime Labor Certificate and a Declaration of Maritime Labor Compliance (DMLC) Part I (issued by the Administration) and DMLC Part II (developed by Shipowner and endorsed by the Administration or a duly authorized Recognized Organization) issued in the English language.
- 3.5. In case of doubt if a ship shall be certified according to the Maritime Labor Convention 2006, this Administration shall be contacted in order to determine the relevant requirements.

4. Certification procedures

- 4.1. Prior to any MLC Audit, the Shipowner (or any other person/company duly authorized by him) shall apply to this Administration for the issuance of the DMLC Part I which will include the following information:
- The list of matters to be inspected in accordance with the MLC 2006 (i.e., the 16 areas listed in Appendix A5-I);
 - In each of those areas, the national requirements embodying the relevant provisions of the Convention;
 - Ship-type specific requirements under national legislation;
 - Record of any substantially equivalent provisions;
 - Any exemption granted by this Administration as provided in Title 3 of the MLC 2006.
- 4.2. The DMLC Part II shall be developed by the Shipowner and shall identify the measures adopted to ensure ongoing compliance between inspections with the national requirements stated in the DMLC Part I and the measures proposed to ensure that there is continuous improvement. After the completion of the DMLC Part II from the Shipowner, it shall be submitted to a duly authorized Recognized Organization for review:
- After the completion of the Interim MLC 2006 Certification of the vessel. When the Recognized Organization confirms that the submitted DMLC Part II meets the requirements set by the Convention and this Administration, it may endorse it.
 - Before the conduction of the Initial MLC 2006 Audit, in case that the vessel will not have an interim stage of MLC 2006 Certification. When the Recognized Organization confirms that the submitted DMLC Part II meets the requirements set by the Convention and this Administration, it may endorse it.



4.3. Interim Maritime Labor Certificate

4.3.1. A Maritime Labor Convention 2006 Certificate may be issued on an Interim basis in the following cases:

- a) New ships on delivery;
- b) When a ship changes flag;
- c) When a Shipowner assumes responsibility for the operation of a ship which is new to that Shipowner.

4.3.2. An Interim Maritime Labor Certificate may be issued for a period not exceeding six months by the duly authorized Recognized Organization.

4.4. Maritime Labor Certificate

4.4.1. A Maritime Labor Certificate shall be issued to each ship following a successful initial inspection and verification by the duly authorized Recognized Organization.

4.4.2. The Maritime Labor Certificate shall be issued by the duly authorized Recognized Organization for a period which shall not exceed five years, upon successful inspection and verification of this Administration's requirements as outlined in the DMLC Part I implementing the provisions of the Convention regarding the working and living conditions of seafarers on the ship, including measures for ongoing compliance which are included in the Declaration of Maritime Labor Compliance.

4.4.3. The validity of the Maritime Labor Certificate shall be subject to an Intermediate inspection by the Recognized Organization to ensure continuing compliance with the Administration's requirements implementing the provisions of the Convention, and it shall take place between the second and third anniversary dates of the Statement of Compliance. The scope of the Intermediate inspection shall be equal to an inspection for renewal of the Statement of Compliance. The Certificate shall be endorsed by the Recognized Organization following satisfactory Intermediate inspection.

4.4.4. Notwithstanding paragraph 4.4.2 above, when the Renewal inspection has been completed within three months before the expiry date of the existing Maritime Labor Certificate, the new Maritime Labor Certificate shall be valid from the date of completion of the renewal inspection for a period not exceeding five years from the date of expiry of the existing Statement of Compliance. In such a case the period of validity may exceed five (5) years.

4.4.5. When the renewal inspection is completed more than three (3) months before the expiry date of the existing Maritime Labor Certificate, the new Maritime Labor Certificate must be valid for a period not exceeding five years starting from the date of completion of the renewal inspection.



5. Cease of Statement of Compliance's validity

5.1. A Maritime Labor Certificate ceases to be valid in the following cases:

- a) If the relevant inspections are not completed within the periods prescribed by the MLC 2006;
- b) If the Statement of Compliance is not endorsed following an Intermediate inspection;
- c) When a ship changes flag;
- d) When a Shipowner ceases to assume the responsibility for the operation of a ship;
- e) When substantial changes have been made to the structure or equipment covered in Title 3 of the MLC 2006.

5.2. Under paragraphs 16 and 17 of Standard A5.1.3, a Maritime Labor Certificate shall be withdrawn if there is evidence that the ship concerned does not comply with the requirements of MLC, 2006 and any required corrective action has not been taken.

6. Amendments to MLC 2006

6.1. ILO adopted the following amendments to the Maritime Labor Convention:

- 6.1.1. 103rd Session, 11 June 2014, Implementing Regulation 2.5 – Repatriation and Regulation 4.2 – Shipowners' liability, establishing mandatory requirements that require Shipowners to have financial security to cover abandonment of seafarers, as well as death and long-term disability of seafarers due to occupational injury and hazard;
- 6.1.2. 105th Session, 09 June 2016, addressing shipboard harassment and bullying and providing guidance related to the Maritime Labor Certificate extension for a period not exceeding five months following a renewal inspection, where the new certificate cannot be immediately issued and made available on board;
- 6.1.3. 107th Session, 05 June 2018, with regards to additional protection to seafarers in the event they are held captive on or off the ship as a result of piracy or armed robbery;
- 6.1.4. 110th session, 06 June 2022, with regards to modifications to recruitment, repatriation, recreational facilities, food and catering, medical care, and accident prevention.



7. Related documents

- 7.1. Application for the issuance of DMLC Part I;
- 7.2. Financial Security documents;
- 7.3. Form of DMLC Part II.

8. Contact

- 8.1. Should you require any additional information, you may contact our Technical Department as provided below:

PIC: Ayaz Burud

E-mail: info@nta.gov.km

Tel. (Office hours): +2697739779

Emergency: +2693437145

We take this opportunity to reassure that human life, marine environment and property are always considered as a priority for the Maritime Administration of Comoros which is committed to the safety of the maritime industry and the users around the world.

Maritime Affairs Department

Mohamed Said Salim Dahalani
Registrar

