



Marine Circular Nr. 04/2025, 19/06/2025

Subject: Entering into Force of ILO Maritime Labour Convention, 2006 (MLC, 2006), as amended — G-B I.S.R. Background, Implementation, Inspection, and Certification Procedures.

Ref. : a. Maritime Labour Convention (MLC), 2006
b. Amendments of 2022 to the MLC, 2006.
c. Marine Circular Nr. 03/ 2023, 06/06/2023
d. G-B I.S.R. Marine Circular No. 06/2024, 20/12/2024.
e. Marine Circular Nr. 02/ 2025, 21/03/2025.
f. Marine Circular Nr. 06/2024, 20/12/2024.
g. Code of Operation of the Guinea-Bissau International Ships Registry (GB ISR), Chapter 8.3 "Maritime Labour Convention 2006, as amended (MLC, 2006)"

To: Shipowners/Operators, Legal Representatives of G-B I.S.R. flagged Vessels, Deputy Registrars Authorized Offices, Recognized Organizations (ROs), relevant stakeholders, and Seafarers on board G-B flagged vessels.

1. Purpose: The purpose of this Marine Circular is to guide on implementing the requirements of the Maritime Labour Convention (MLC), 2006, including the inspection and certification of ships. The current Mar Cir falls within a series of Normative Documents that guide the implementation of the MLC, 2006. The current Mar Cir aims to introduce the G-B I.S.R. inspection and certification procedures after the entering into force of the ILO MLC Convention, 2006, as amended into force for Guinea-Bissau on 10-06-2025.

2. Applicability: The current Mar Cir applies to all ships engaged in commercial activity that fly the Guinea-Bissau flag and fall under the scope of the MLC, 2006, as amended, (with the exception of ships engaged in fishing, traditional operations, or warships), and all seafarers serving on board those ships

3. Introduction and Background

3.1 This Marine Circular serves to advise all concerned stakeholders that the **Maritime Labour Convention, 2006 (MLC, 2006), as amended**, has entered into force for **Guinea-Bissau on 10 June 2025**.

3.2 The MLC, 2006 consolidates and brings together numerous previously existing international labor standards into a **comprehensive framework** for securing seafarers' rights and for strengthening fairness, competitiveness, and a level playing field within the maritime industry.

3.3 In February 2006, the 94th (Maritime) Session of the International Labour Conference (ILC) of the ILO adopted the MLC, 2006. When adopting the MLC, 2006, the Conference also adopted 17 resolutions, many of which relate to complementary and follow-up activities to assist in ensuring rapid and widespread ratification combined with effective implementation at the country level.

3.4 The MLC, 2006, essentially consolidated and updated 68 existing ILO Maritime Conventions and Recommendations adopted since 1920, into a single comprehensive international legal instrument. The MLC, 2006 contains new subjects, particularly in the area of occupational safety and health to meet current health concerns, such as fatigue, the effects of noise and vibration on workers, and other workplace risks. It is the "fourth pillar" of the international regulatory regime for quality shipping, complementing the key

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Conventions of the International Maritime Organization (IMO) – SOLAS (1974) as amended, STCW (1978) as amended, and MARPOL (73/78), as amended

3.5 MLC, 2006 sets out seafarers' rights to minimum decent conditions of work and living and helps to create conditions of fair competition for shipowners. It will be universally applicable and uniformly enforced.

3.6 MLC, 2006 is comprised of three different but related parts: the Articles, the Regulations and the Code. The Articles and Regulations set out the core rights and principles and the basic obligations of Members ratifying the Convention. The Code contains the details for the implementation of the Regulations and is comprised of Part A (mandatory Standards) and Part B (non-mandatory Guidelines).

3.7 The MLC, 2006 sets minimum standards related to seafarers' among others for:

- a) Conditions of employment
- b) Living accommodations
- c) Recreational facilities
- d) Food and catering
- e) Occupational health and safety
- f) Insurance against sickness, injury, death, or abandonment
- g) Complaint mechanisms
- h) Inspection regimes
- i) Recruitment and placement services
- j) Security for their financial entitlements upon repatriation or death

4. Application and General Requirements

A. Vessels

4.1 Except as expressly provided otherwise, the MLC, 2006 applies to all ships, whether publicly or privately owned, ordinarily engaged in commercial activities, other than ships engaged in fishing or in similar pursuits and ships of traditional build. The MLC, 2006 does not apply to warships or naval auxiliaries.

4.2 The following ships shall be inspected and certified to be in compliance with the requirements of the convention and carry and maintain a Maritime Labour Certificate (ML Certificate) and the Declaration of Maritime Labour Compliance (DMLC) Parts I and II issued in English:

- i Ships of 500 gross tonnage or over, engaged in international voyages;
- ii. Ships of 500 gross tonnage or over, operating from a port, or between ports, in another country; and
- iii. Other ships, as may be voluntarily requested by a shipowner.

4.3 All ships 500 GT or greater engaged in international voyages shall carry a Maritime Labour Certificate (MLC) alongside their Declaration of Maritime Labour Compliance (DMLC) Part I and Part II.

4.4 All ships less than 500 GT to which the Convention applies shall be subject to at least two (2) inspections within five years at intervals not exceeding three (3) years against the Convention's standards.



Such ships do not carry a Maritime Labour Certificate but must retain a record of the Inspection Report alongside their documents.

4.5 Where G-B I.S.R. Regulation is not as specific as the requirements found in the MLC, 2006, then G-B I.S.R. Marine Notices will provide guidance on compliance. The Convention allows for flexibility in implementation by providing for national determinations, substantial equivalencies, and exemptions and variations under certain provisions.

B. Seafarers

4.6 Except as expressly provided otherwise, MLC, 2006 applies to all seafarers on board the ships to which the Convention applies.

4.7 The MLC, 2006 recognizes in Article II, paragraph 3, that there may be doubts whether a particular category or categories of persons who may perform work on board a ship covered by the Convention should be regarded as seafarers. Recognizing that there is a need for clarification on this subject to help to provide uniformity in the application in the rights and obligations provided by the Convention, the 94th (Maritime) Session of the International Labour Conference adopted Resolution VII, to assist Administrations in resolving any difficulties that may arise.

4.8 The G-B I.S.R. will consider the following issues, as provided for in Resolution VII, in determining whether certain persons or categories of persons are considered seafarers:

- i the duration of the stay on board of the persons concerned;
- ii the frequency of periods of work spent on board;
- iii the location of the person's principal place of work;
- iv. the purpose of the person's work on board; and
- v. the protection that would normally be available to the persons concerned with regard to their labour and social conditions to ensure they are comparable to that provided for under the Convention.

4.9 This Administration, taking into account the criteria provided in Resolution VII, considers that the following persons will not generally be considered as seafarers for the purpose of the MLC, 2006:

- i Professional Pilots;
- ii Port Workers including stevedores;
- iii Guest entertainers;
- iv Ship Inspectors/Auditors/Surveyors;
- v Ship Superintendents;
- vi Repair and maintenance technicians;
- vii Temporary riding crew such as Suez Canal crew;
- viii Specialist offshore technicians;
- ix Privately contracted security personnel; and
- x Owner/Client Representatives



5. MLC Amendments

5.1 At its 103rd Session in June 2014, the ILO approved amendments to the Code of MLC, 2006 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.

5.2 At its 105th session in June 2016, the ILO approved amendments to the Code of MLC, 2006 addressing shipboard harassment and bullying and providing for the Maritime Labour Certificate to be extended for a period not exceeding five months following a renewal inspection, where the new certificate cannot be immediately issued and made available on board.

5.3 At its 107th session in June 2018, the ILO approved amendments to the Code of MLC, 2006 providing additional protection to seafarers in the event they are held captive on or off the ship as a result of piracy or armed robbery.

5.4 At its 110th session in June 2022, the ILO approved amendments to the Code of MLC, 2006 which included modifications to recruitment, repatriation, recreational facilities, food and catering, medical care, and accident prevention. The amendments enter into force on 23 December 2024.

6. Definitions

61 Administration: For the purposes of the current Mar Cir only, the Office of the G-B I.S.R General Ships Registrar and Deputy General Ships Registrar.

6.2 Competent authority: The minister, government department or other authority having power to issue and enforce regulations, orders or other instructions having the force of law in respect of the subject matter of the provision concerned. The G-B I.S.R. is the competent authority with respect to Guinea-Bissau flagged vessels performing international voyages.

6.3 Declaration of Maritime Labour Compliance (DMLC): Document which states the national laws, regulations, and marine notices implementing the requirements of this Convention for the working and living conditions for seafarers (Part I) and the measures put in place by the ship owner to ensure ongoing compliance with the requirements and the measures proposed to ensure that there is continuous improvement, on the ship concerned (Part II). Part I is drawn up by the Administration and Part II is drawn up by the shipowner.

6.4 International Voyage: A voyage from a country to a port outside such a country.

6.5 Maritime Labour Inspector (MLI): An auditor who has been trained and appointed by the Administration or a Recognized Organization to conduct maritime labour inspections and verifications on board G-B I.S.R flagged ships.

6.6 Maritime Labour Certificate: The certificate referred to in Regulation 5.1.3 of the Maritime Labour Convention, 2006.

6.7 Recognized Organization (RO): An organization that meets MLC, 2006, Standard A5.1.2 and has been authorized by the Administration to carry out maritime labor inspections or issue ML Certificates or to do both on G-B I.S.R vessels. A list of RO's is provided on the G-B I.S.R. website under the R.O. section (<https://gbisr.com/recognized-organizations/>).

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6.8 Seafarer: any person who is employed or engaged or works in any capacity on board a ship to which this convention applies.

6.9 Seafarers Employment Agreement: Includes both a contract of employment and the articles of agreement.

6.10 Seafarer Recruitment and Placement Service (SRPS): Any person, company, institution, agency or other organization, in the public or private sector, which is engaged in recruiting seafarers on behalf of shipowners or placing seafarers with shipowners.

6.11 Ship: a ship other than one which navigates exclusively in inland waters or waters within, or closely adjacent to sheltered waters or areas where port regulations apply.

6.12 Shipowner: 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 following MLC, 2006, regardless of whether any other organization or persons fulfill certain of the duties or responsibilities on behalf of the shipowner.

6.13 Deficiency: An observed situation or defect where objective evidence indicates a non-fulfillment of a specified requirement of MLC, 2006.

6.14 Serious Deficiency: An identifiable deficiency that represents a significant danger to seafarers' safety, health or security or constitutes a serious breach of the requirements of the MLC, 2006 (including seafarers' rights), that requires immediate corrective action.

6.15 Objective evidence: Quantitative or qualitative information, records or statements of fact pertaining to seafarer safety or health or to the existence and implementation of MLC 2006 requirements, which is based on observation.

7. Compliance Guidance

7.1 Certification requirements: Ships required to be inspected and certified for compliance with the requirements of the MLC, 2006 shall carry and maintain a **Maritime Labour Certificate** and a **Declaration of Maritime Labour Compliance (DMLC) Parts I and II** issued in English (see respective formats enclosed).

7.2 The DMLC forms part of the Maritime Labour Certificate and is specific to each ship. Part I of the DMLC is drawn up by the Administration (G-B I.S.R.) and identifies the list of matters to be inspected, the relevant national requirements, ship-type specific requirements under national legislation, any substantially equivalent provisions, and any exemption granted by the Administration. Part II is drawn up by the shipowner and identifies the measures that have been adopted to provide for initial and ongoing compliance with the national requirements and the measures proposed to encourage continuous improvement. Part I and II contain a list of 16 areas related to the working and living conditions of seafarers that the Administration and the shipowner must address within the DMLC.

7.3 The 16 areas and corresponding regulations that must be addressed in the DMLC are:

- a) Minimum age (Regulation 1.1)
- b) Medical certification (Regulation 1.2)

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- c) Qualifications of seafarers (Regulation 1.3)
- d) Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)
- e) Seafarers' employment agreements (Regulation 2.1)
- f) Payment of wages (Regulation 2.2)
- g) Hours of work or rest (Regulation 2.3)
- h) Manning levels for the ship (Regulation 2.7)
- i) Accommodation (Regulation 3.1)
- j) On-board recreational facilities (Regulation 3.1)
- k) Food and catering (Regulation 3.2)
- l) On-board medical care (Regulation 4.1)
- m) Health and safety and accident prevention (Regulation 4.3)
- n) On-board complaint procedures (Regulation 5.1.5)
- o) Financial security for repatriation (Regulation 2.5)
- p) Financial security relating to shipowners' liability (Regulation 4.2)

7.4 The 2022 amendments to MLC, 2006 amend the following areas of the DMLC:

- Use of any licensed or certified or regulated private recruitment and placement service (Regulation 1.4)
- On-board recreational facilities (Regulation 3.1).
- Food and catering (Regulation 3.2)12.
- On-board medical care (Regulation 4.1)
- Health and safety and accident prevention (Regulation 4.3)

7.5 The Declaration of Maritime Labour Compliance (DMLC) Part I has been amended to include the new amendments and shipowners are required to also amend the DMLC Part II.

8. Inspection and Certificate Procedures

8.1 The Guinea-Bissau International Ships Registry (G-B ISR) delegates the conduct of MLC, 2006 inspections and certifications to its Recognized Organizations (ROs).

8.2 The DMLC Part I shall be issued by G-B ISR. The revised standard DMLC Part I prepared by the Administration is provided in Annex I to this Marine Circular.

8.3 The DMLC Part II shall be prepared by the Shipowner and reviewed and approved by the recognized RO. The shipowner should include or make reference in the DMLC Part II, the occasions on which ongoing compliance with the Administration's particular requirements will be verified, the records to be taken and maintained, and the procedures to be followed where non-compliance is noted. A copy of the DMLC part II is attached herewith (Annex II).

8.4 Subsequently, following a successful inspection by the recognized RO, the Maritime Labour Certificate is issued on its behalf by the recognized RO (see Annex III).



9. Transition and Changeover for Existing Fleet

9.1 To enable a smooth and orderly **transition for the existing G-B ISR fleet**:

- a. All ships currently holding certificates or Statements of Compliance with the MLC, 2006, but issued prior to 10 June 2025, shall gradually be brought into conformity with the Convention's standards the latest by their **first renewal inspection after 10 June 2025 or at the earliest opportunity**.
- b. The new DMLC Part I shall be issued by G-B ISR upon application by the shipowner. Subsequently, the shipowner shall submit their DMLC Part II to a recognized RO for review and eventual approval.
- c. A **Maritime Labour Certificate** will be issued following the submission of:
 - i. An application for DMLC Part I;
 - ii. A DMLC Part II;
 - iii. A initial verification by a recognized RO confirming conformity with key MLC, 2006 standards.

9.2 The current valid Maritime Labour Certificate and DMLC (parts I and II) issued in English, shall be carried on the ship, and a copy shall be posted in a conspicuous place on board where it is available to seafarers. A copy shall be made available, upon request to seafarers.

10. MLC Inspections

10.1 Record keeping of inspections: For ships carrying a Maritime Labour Certificate, the inspection reports of all subsequent inspections or other verifications carried out, together with the date when the deficiencies were found to be remedied shall be maintained together with the DMLC, and be made available, when requested, to seafarers, G-B I.S.R., authorized RO inspectors, authorized officers in port states and shipowners' and seafarers' representatives.

10.2 Rectification of Deficiencies: Any deficiencies identified during the inspection shall be recorded in the inspection report. All deficiencies identified are required to be rectified in accordance with the administration and/or authorized RO's inspection reporting procedures. Maritime Labour Certificate will not be issued until deficiencies related to approved measures in the declaration of maritime labour compliance are rectified or a corrective action plan has been provided by the shipowner and/or master and accepted by the Inspector to rectify the deficiencies within a specified time-frame, not exceeding three (3) months to implement the necessary corrective actions.

10.3 Reporting of deficiencies: The Inspector shall report any serious deficiencies which affect the safety of the ship, or represent a significant danger to the safety, health or security of seafarers, or constitute a serious breach of the requirements of this Convention (including seafarers' rights) to the shipowner, the Master of the vessel involved and to the Administration or authorized RO, as appropriate. The inspector will confirm that the shipowner and/or Master has determined and initiated appropriate corrective action to correct the deficiencies or to correct the causes of the deficiencies before the ship departs port.



11. **Withdrawal of the Maritime Labour Certificate:** A Maritime Labour Certificate may be withdrawn at the determination of the Administration. Cause for certificate withdrawal may include, but is not limited to:

a) On the recommendation of the authorized RO, the ship concerned does not comply with the Administration's requirements implementing the provisions of this Convention;

b) Any accepted corrective action plan to rectify serious deficiencies has not been implemented; and

c) The measures in the declaration of Maritime Labor Compliance Part II are not implemented on board.

12. **Shipowner's Responsible Person for MLC Compliance**

12.1 The shipowner (manager or operator) must provide the Administration with the name, address, email, and emergency contact information of the person(s) with MLC responsibilities, including seafarer complaint resolution.

12.2 This information may be included with the documentation submitted by the shipowner for DMLC Part II. Changes should be sent by email or mail.

12.3 The G-B I.S.R form for the declaration of person(s) with MLC responsibilities is provided in Annex IV. Shipowners shall **designate a person** within their organizations to oversee their MLC compliance and to act as a point of contact with G-B ISR and recognized organizations in case of Inspection, Complaint, Correction of deficiencies, Renewal or update of certificates.

13. **Inquiries**

13.1 Any inquiries relating to this Marine Circular may be addressed to the G-B I.S.R – Operation Department (Email: ops@gbi-lb.org, Tel.: +30 210 4537950, +30 210 4537194)

14. **Effective Date**

14.1 The provisions of the current Marine Circular have immediate effect as per the day of issuance.

For the Guinea-Bissau International Ships Registry

Authorized Signatory:

Office of the General Ships Registrar



Encl.

- a. Format of DMLC Part I (ANNEX I)
- b. Indicative Format of DMLC Part II, as per MLC, 2006 (ANNEX II)
- c. Indicative Format of Maritime Labour Certificate (ANNEX III)
- d. Format of Shipowner's Responsible Person for MLC Compliance (ANNEX VI)