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## **Maritime Labour Convention, 2006: non-coded vessels of less than 500 Gross Tonnes operating internationally**

**Notice to all shipowners, ship operators, Masters, Certifying Authorities**

*This MIN expires 31 May 2016*

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### **Summary**

This MIN provides advice on the Maritime Labour Convention, 2006 (MLC) to owners and Masters of non-coded vessels of less than 500 Gross Tonnes (GT) operating internationally, to help them avoid delays in foreign ports.

### **1. Introduction/ Background**

1.1 Owners of sea-going vessels of less than 500 Gross Tonnes (GT) which are subject to the Merchant Shipping (Maritime Labour Convention) (Survey & Certification) Regulations 2013 (SI 2013/4785) transposing the Maritime Labour Convention, 2006 (MLC), must comply with that legislation and be inspected against it, but are not required to hold an MLC certificate.

1.2 The following vessels are not subject to this legislation:

- pleasure vessels;
- fishing vessels;
- ships of traditional build;
- warships or naval auxiliaries;
- vessels not ordinarily engaged in commercial operations.

1.3 However, vessels subject to the standards but which are not required to hold a certificate may request to be issued with one - see regulation 6(3) of the Merchant Shipping (Maritime Labour Convention) (Survey and Certification) Regulations 2013 and paragraph 8.5 of MSN 1848(M). If they do request to be issued with an MLC Certificate, it is mandatory to comply with the associated obligations (e.g., intermediate inspection, display of documentation, etc.).

1.4 A Maritime Labour Certificate is prima facie evidence of compliance with the Convention.



## 2. Requesting an MLC certificate

- 2.1 MLC vessels of less than 500GT which have been inspected and have met the Convention Standards, but have not requested to be issued with an MLC certificate, will be in possession of an Inspection Report in relation to the obligation in regulation 5(3) of the Merchant Shipping (Maritime Labour Convention) (Survey and Certification) Regulations 2013. This may be shown to port State Control inspectors in foreign ports, but they are not obliged to recognise it, or take it as prima facie evidence of compliance with the Convention – although some may do so. There have been cases of owners running into difficulty in foreign ports because they are not in possession of an MLC Certificate.
- 2.2 Owners of vessels of less than 500GT who are planning to operate the vessel internationally are encouraged to ensure the vessel has been inspected in accordance with MSN 1848(M) and that they have onboard a copy of the associated Inspection Report. They may also wish to consider carefully whether requesting an MLC certificate will be beneficial to them to avoid potential problems in foreign ports.
- 2.3 The MCA may issue an MLC certificate on request from owners of vessels less than 500GT on being satisfied that the vessel complies with the requirements of MLC 2006. The inspection may be carried out by a surveyor from the MCA or a Class Society. To enable the issuance of an MLC certificate, the Inspection Report, a copy of the DMLC Part 2 and a standard SEA needs to be sent to MCA HQ.
- 2.4 The owner will incur a cost for being issued with an MLC certificate at their own request.

### More Information

Seafarer Safety and Health Branch  
Maritime and Coastguard Agency  
Bay 2/19  
Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG

Tel : +44 (0) 23 8032 9538  
Fax : +44 (0) 23 8032 9251  
e-mail: [mlc@mcga.gov.uk](mailto:mlc@mcga.gov.uk)

General Inquiries: [infoline@mcga.gov.uk](mailto:infoline@mcga.gov.uk)

Website Address: [www.gov.uk/government/organisations/maritime-and-coastguard-agency](http://www.gov.uk/government/organisations/maritime-and-coastguard-agency)

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