



NIUE SHIP REGISTRY

Website: www.niueship.com

AMENDMENTS OF 2022 FOR MLC 2006 (Circular NMC7.2024 (rev1))

(A) PURPOSE:

To provide ship owners/managers/operators the relevant information and guidance on the 2022 amendments to the MLC, 2006 which enters into force on 23 December 2024.

(B) RELATED DOCUMENTS:

1. Amendments of 2022 to the Code of the Maritime Labour Convention, 2006, as amended (MLC, 2006), approved by the International Labour conference at its 110th session, Geneva, 06 June 2022
2. Maritime Labour Convention, 2006
3. Niue Marine Circular NMC3.2013 – Compliance with Maritime Labour Convention 2006

(C) DEFINITIONS:

The following abbreviations stand for:

1. "DMLC" – Declaration of Maritime Labour Compliance
2. "MLC 2006" – Maritime Labour Convention, 2006
3. "NERS" – Niue Electronic Registration System
4. "[RO](#)" – Recognized Organization as defined by IMO Resolution A.789(19)
5. "SOCMLC" – Statement of Compliance to MLC 2006
6. "SRPS" – Seafarer Recruitment and Placement Services

The following term(s) shall mean:

7. "Administration" – Niue Ship Registry

(D) APPLICATION:

This marine circular applies to all Niue flagged ships as defined under Article II of the MLC 2006.

(E) CONTENTS:

1. AMENDMENTS TO REGULATION 1.4 – RECRUITMENT AND PLACEMENT

Replacement of Paragraph 5(c)(vi) of Standard A1.4 require that SRPS establish a system of protection, by way of insurance or an equivalent appropriate measure, to compensate seafarers for monetary loss that they may incur as a result of the failure of a recruitment and placement service or the relevant shipowner under the seafarers' employment agreement to meet its obligations to them, and ensure that seafarers are informed, prior to or in the process of engagement, of their rights under that system

2. AMENDMENTS TO REGULATION 2.5 – REPATRIATION

The new Paragraph 9 of Standard A2.5.1 facilitates the prompt repatriation of seafarers, including when they are deemed abandoned within the meaning of Standard A2.5.2, paragraph 2. Port States, flag States and labour-supplying States shall cooperate to ensure that the seafarers engaged on a ship to replace seafarers who have been abandoned in their territory, or on a ship flying their flag, shall be accorded their rights and entitlement under the MLC 2006.

3. AMENDMENTS TO REGULATION 3.1 – ACCOMMODATION AND RECREATIONAL FACILITIES

- 3.1. Replacement of Paragraph 17 of Standard A3.1 requires that appropriate seafarers' recreational facilities, amenities and services, including social connectivity, as adapted to meet the special needs of seafarers who must live and work on ships, be provided on board for the benefit of all seafarers, taking into account Regulation 4.3 and the associated Code provisions on health and safety protection and accident prevention.
- 3.2. Replacement of Paragraph 4(j) of Guideline B3.1.11 recommends that seafarers have reasonable access to ship-to-shore telephone communications, where available, with any charges for the use of these services being reasonable in amount.
- 3.3. The new Paragraph 8 of Guideline B3.1.11 recommends that shipowners should, so far as is reasonably practicable, provide seafarers on board their ships with internet access, with charges, if any, being reasonable in amount.

4. AMENDMENTS TO REGULATION 3.2 – FOOD AND CATERING

- 4.1. Replacement of Paragraph 2(a) of Standard A3.2 requires that food and drinking water supplies, are considered based on the number of seafarers on board, their religious requirements and cultural practices as they pertain to food, and the duration and nature of the voyage, and shall be suitable in respect of quantity, nutritional value, quality and variety, and shall be provided free of charge during the period of engagement
- 4.2. Replacement of Paragraph 2(b) of Standard A3.2 requires that the organization and equipment of the catering department shall be such as to permit the provision to the seafarers of adequate, varied, balanced and nutritious meals prepared and served in hygienic conditions.
- 4.3. Replacement of Paragraph 7(a) of Standard A3.2 requires that the Master carries out frequent documented inspections on supplies of food and drinking water in relation to their quantity, nutritional value, quality and variety.

5. AMENDMENTS TO REGULATION 4.1 – MEDICAL CARE ON BOARD SHIP AND ASHORE

- 5.1. The new Paragraph 5 of Standard A4.1 requires that Member States provide prompt disembarkation of seafarers in need of immediate medical care from ships in its territory and access to medical facilities ashore for the provision of appropriate treatment.
- 5.2. The new Paragraph 6 of Standard A4.1 establishes the requirements where a seafarer has died during a ship's voyage. The Member State in whose territory the death has occurred or, where the death has occurred on the high seas, into whose territorial waters the ship next enters, shall facilitate the repatriation of the body or ashes by the shipowner, in accordance with the wishes of the seafarer or their next of kin, as appropriate.

6. AMENDMENTS TO REGULATION 4.3 – HEALTH AND SAFETY PROTECTION AND ACCIDENT PREVENTION

- 6.1. Replacement of Paragraph 1(b) of Standard A4.3 requires that reasonable precautions are undertaken to prevent occupational accidents, injuries and diseases on board ship, including through the provision of all necessary appropriately-sized personal protective equipment and measures to reduce and prevent the risk of exposure to harmful levels of ambient factors and chemicals, as well as the risk of injury or disease that may arise from the use of equipment and machinery on board ships.
- 6.2. The new Paragraph 5(a) of Standard A4.3 requires that all deaths of seafarers employed, engaged or working on board ships are adequately investigated and recorded, and reported, on an annual basis, to the Director-General of the International Labour Office to be published in a global register.

7. AMENDMENTS TO REGULATION 4.4 – ACCESS TO SHORE-BASED WELFARE FACILITIES

The new Paragraph 5 of Guideline B4.4.2 recommends that Member States, so far as is reasonably practicable, provide seafarers on board ships in their ports and at their associated anchorages with internet access, with charges, if any, being reasonable in amount.

(F) COMPLIANCE:

1. Existing SOCMLC and the related DMLCs shall remain valid even after the entry into force of the amendments.
2. All existing SOCMLCs and DMLCs should be renewed no later than the date of the first renewal inspection following entry into force (i.e. 23 December 2024) of the amendments.
3. The provisions in sections F.1 and F.2 above relate only to the certification requirements for SOCMLCs and DMLCs and do not in any way affect the rights and obligations of the seafarers and shipowners as effected by the amendments from the date of entry into force.
4. Shipowners are recommended to apply for a new DMLC Part I and submit an updated DMLC Part II to the [RO](#) displaying the measures adopted to ensure ongoing compliance with the new requirements as soon as possible.
5. If the new DMLC Part I and Part II are already available, then they are recommended to be attached to the vessel's existing SOCMLC as evidence of compliance with the amendments as the existing SOCMLC will only be reissued at the vessel's next renewal survey.
6. DMLC Part I – all vessels holding an existing DMLC Part I may apply to the Administration to be re-issued with the revised E-DMLC Part I (electronic format) incorporating the 2022 amendments by submitting application Form DMLC I (refer to section 7.1 below) to operations@niवेशip.com or applying online at [NERS](#).
7. Click [here](#) to download the following:
 - 7.1. Application [Form DMLC I]; and
 - 7.2. Template [Form DMLC II]

Please do not hesitate to contact the Administration at technical@niवेशip.com or call: +65 6226-2001 for further assistance.