

Shipping Consultative Committee

Declaration of Maritime Labour Compliance –Part I and Guidelines on its Compliance

Purpose

1. This paper is to seek the views of members on the proposed Declaration of Maritime Labour Compliance-Part I (DMLC-Part I) and its associated guidelines on compliance.

Backgrounds

2. The Maritime Labour Convention, 2006 (MLC, 2006) adopted on 23 February 2006 covers health, safety, minimum age, recruitment, hours of work and other vital issues affecting seafarers. It will enter into force on 20 August 2013 globally.

3. The draft DMLC-Part I issued on 23 August 2010 under SCC/145 endorsed by the SCC requires to be updated in light of the latest developments in the drafting of the local legislation to give effect to the MLC, 2006 in Hong Kong.

Local legislation

4. As the legislative program for amendment to Chapter 478 Merchant Shipping (Seafarers) Ordinance and its subsidiary legislation is still proceeding, the DMLC-Part I is subject to comments from relevant Bureau and Department of Justice. In view of the coming into force of the MLC, 2006 in August 2013, this Administration will endeavour to maintain the content of the attached DMLC-Part I to be stipulated under the local legislation for future issue of the full-term Maritime Labour Certificate.

DMLC-Part I

5. The 14 items stipulated in MLC 2006 are required to be entered in DMLC-Part I. The references to the local legislation shall be made in this document to show that the requirements for the implementation of the 14 items in law have been made. However,

the drafting of the local legislation is still on-going; a reference cannot be made now for all of the items. As a stop gap measure till all local legislation are in place for the implementation of the Convention, those items where references cannot be made to the local legislation will have their requirements listed in DMLC-Part I. The updated DMLC-Part I is introduced in this paper to replace the one issued under SCC/145. This document will be replaced again when all the proper legislative provisions are in place.

Guidelines for Shipowners to ensure Compliance with DMLC-Part I

6. Guidelines have been prepared and attached with this paper to assist shipowners to adopt measures in DMLC-Part II for compliance with the requirements in DMLC-Part I at all times and to ensure continuous improvements.

Consultation

7. Members are invited to comment on the DMLC-Part I and the Guidelines.

Marine Department
Multi-lateral Policy Division
25 January 2013

Encl.

- (i) DMLC-Part I (25-1-2013)
- (ii) Guidelines for shipowners of Hong Kong ships on the compliance with the Declaration of Maritime Labour Compliance – Part I
- (iii) ILO/IMO Guidelines on the Medical Examinations of Seafarers