



## Instruction to RO

### No. 22. Maritime Labour Convention 2006 (included amendments 2014)

*Date entry into force: 05 September 2017*

#### 1 Introduction

The Netherlands Administration (in their role as competent authority, hereinafter referred to as 'the Administration') is responsible for the inspection and certification of the working and living conditions of the seafarers on ships flying the flag of the Netherlands. The Administration decided to delegate all certification services of the MLC to the Recognized Organizations apart from the DMLC part I. This instruction describes the elements as pertained in Regulation 5.1.2 of the MLC.

The national requirements, including the interpretation on relevant articles of the legislation and the (conditions/possibilities for) exemptions, are published on the ILT website and in Netherlands Regulatory Framework (NeRF) <https://puc.overheid.nl/nsi/>.

#### 2 Scope of the authorization

The Administration authorizes the Recognized Organization (RO), in accordance with MLC, Regulation 5.1.2, and IMO Resolution A.739(18), as amended, "Guidelines for the Authorization of Recognized Organizations Acting on behalf of the Administrations", the authority for verifying compliance with the MLC, including the requirements pertaining to the DMLC Parts I, II and required certification services.

- The issuance of the (Interim) Maritime Labour Certificate on behalf of the Administration, is arranged by the "Decree Mandate and Authorization of certification of sea-going ships". The RO is authorized to undersign the DMLC – Part II.
- The RO is authorized to carry out any examination, test or inspection considered necessary to determine that the standards of the MLC 2006 (including relevant national requirements) are complied with.
- Furthermore, the RO is authorized to require the rectification of deficiencies that it identifies related to the items addressed in chapter 3 of the Guidelines for flag State inspections (reference is made to paragraph 5.1 of this Instruction) and to carry out inspections on behalf of the Administration in this regard at the request of a port State.

An overview of authorization is specified in Appendix 1.

#### 3 Application

##### 3.1 General

Except as expressly provided otherwise, the MLC, 2006 applies to all<sup>1</sup> Dutch ships<sup>2</sup>, whether publicly or privately owned, primarily engaged in commercial activities, other than ships

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<sup>1</sup> For ships designed to encourage traditional skills and seamanship and are cultural inheritance navigated by means of the traditional principles of seamanship and techniques, paragraph 3 of the Seafarer Regulation is not applicable unless expressly provided otherwise in this paragraph (art. 3.18, sub 5; art. 3.20, sub 5 and art. 3.21, sub 3).



engaged in fishing or in similar pursuits (e.g. shellfish dredgers, drifters and trap-setters<sup>3</sup>). The MLC, 2006 does not apply to warships, naval auxiliaries and ships with no mechanical means of propulsion not carrying persons (e.g. pontoons).

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<sup>4</sup>
- 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 or managing owner.

All ships to which the MLC, 2006 applies, but which are not required to be certified:

- under 500 gross tons, or
- not engaged in international voyages, or
- not operating from a port, or between ports, in another country, or
- voluntary certified

shall still be required to comply with the same requirements as for certified ships (with the exception of the requirement to be provided with DMLC's and ML Certificate).

These vessels, which are not voluntarily certified, will be subject to an inspection by the Administration (flag State Control) at least once every three years. A positive outcome of the inspection (e.g. noted on the inspection report) shall be evidence of compliance with the MLC 2006. The Administration encourages shipowners to certify these ships voluntarily to avoid difficulties when inspected by a port State. For the vessels which are voluntarily certified an intermediate inspection is to be held between the 2<sup>nd</sup> and 3<sup>rd</sup> year of validity of the voluntary certificate.

### 3.2 Seafarer

A seafarer is any person who is employed or engaged or works in any capacity on board a ship to which the MLC applies.

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

- i. passengers;
- ii. relatives and family of seafarers, not engaged in any activity related to the regular operations on board the ship;
- iii. military personnel, surveyors, inspectors and pilots, as mentioned in article 1, part b of the Netherlands Pilots Act;
- iv. persons on board ships in a port or port facility, as mentioned in article 1, sub f respectively c, of the Port Security Act;

<sup>2</sup> For the purpose of the definition of ship, the boundary of Inland Waters is indicated in the Binnenvaartregeling art. 1.2 (Inland Navigation Regulation)

<sup>3</sup> To ships that sail with non-live shellfish the Act Seafarers does apply.

<sup>4</sup> Ships Decree 2004. International voyage: a voyage between two different countries, where a territory for whose international relations a government outside that territory is responsible or for which the United Nations is the administrative authority is also regarded as a separate country.



- v. other persons whose occupations are not part of the regular activities on board the ship. In case of doubt, these cases might be determined by the procedure as referred to below.

At the request of the shipowner or person (to be) employed on board a ship, the Administration may determine after consultation with the committee of shipowners' and seafarers' organizations (criteria set out in Resolution VII of the MLC 2006 and the Annex to the DMLC – part I) if a certain category of persons (shipboard position or function) is not defined as 'seafarer'. The decision of the Administration will be published on the NSI website and formalized in the Regulation Seafarers. However, persons who normally work on shore and are not defined as 'seafarer' will not be bound by the Seafarers Act but will still be bound by the Civil Code Book 7 regarding among others the employment agreement, wages, repatriation, rights when shipwrecked, medical treatment etc.

### 3.3 Shipowner

The shipowner is defined as:

- the owner, or
- bareboat charterer of a ship, or
- a manager as mentioned in article 311, 3rd paragraph, of the Code of Commerce (see the Annex to the DMLC-part I),  
 to which the owner has transferred the responsibility for the exploitation of the ship.

In most cases it is not possible to close a seafarers' employment agreement if the Master is also the employer (e.g. if the Master is also the shipowner). The Master/Shipowner shall demonstrate the specific legal structure through the ISM system of the vessel and/or other relevant documentation.

### 3.4 Seafarers' employment agreements

In derogation of Standard A2.1, paragraph 1 (a), of the Convention, the Netherlands allows seafarers' employment agreements to be signed not only by the shipowner or a representative of the shipowner, but these may also be signed by an employer other than the shipowner or his representative (substantial equivalent).

There are three specific groups of other employers that may be accepted directly by the RO:

- 1) An employer that has employees working on a part of the ship, that is rented by this employer from the shipowner;
- 2) An employer that has employees working on a ship that has been chartered by the employer for specified work;
- 3) Other employer,
  - a) where it is clear from a contract that the work performed is in connection with delivered goods or an accomplished activity. This may be a specific work, related to the maintenance of the ship or it may be the work related to fulfilling a guarantee;
  - b) where it is clear from a contract between the shipowner and a different shipowner that this assistance is rendered without financial profit. The seafarers must be employed by the different shipowner. The different shipowner must be clearly identified as a shipowner;



- c) where it is clear that an enterprise has allocated the work related to manning to a specific entity in the enterprise. The shipowner must show that the Manning Department forms a full part of the enterprise;
- d) If the shipowner is of the opinion that none of the above options apply, he will contact the ILT for further guidance. In this case the shipowner shall provide the Administration with documentary evidence that the other employer is not a temporary employment agency through a contract between the shipowner and the other employer specifying the kind of work concerned, and stipulating the duration of the contract. If approved, the Administration will then issue a 'letter of acceptance' that should be attached to the DMLC-Part II.

The fourth possibility is that the other employer is a temporary employment agency, in this case additional requirements are in place (reference is made to the Annex to DMLC- part I) and confirming compliance is required as described underneath in paragraph 2.5 of this instruction.

### 3.5 Verification of Recruitment and Placement services and temporary employment agencies

For the use of confirming compliance of the Recruitment and Placement R&P services with Regulation 1.4 – Recruitment and placement and temporary employment agencies under Regulation 2.1 and as indicated in paragraph 2.4 of this instruction, the RO shall verify if:

- 1) the R&P service/temporary employment agency has been audited with a positive result, by one of the six RO's authorized by the Dutch Administration; or
- 2) the R&P service/temporary employment agency is located in and has been approved by a country that is a Member to the Maritime Labour Convention, 2006,; or
- 3) the shipowner shows proof that the R&P service / temporary employment agency complies with the stipulated regulations.

## 4 Exemptions and substantial equivalents

### 4.1 General

The Convention allows for flexibility in implementation by providing for national determinations, substantial equivalencies, and exemptions and variations under certain provisions. The approval and determination of such deviation of the requirements is the prerogative of the Administration.

The Administration will provide, on its website, an overview of possible exemptions and substantial equivalents. The shipowner shall determine in advance which exemption(s) or substantial equivalent(s) are applicable for his ship.

To become eligible for an exemption (reference is made to the procedure below) or substantial equivalent, the shipowner shall submit a request to the Administration, together with the application for the DMLC – Part I. The Administration will enter the exemption(s) and substantial equivalent(s) in the DMLC, part 1.



#### 4.2 Procedure for the issuance of exemptions

##### **Exemption for existing vessels**

For existing<sup>5</sup> vessels under Netherlands' flag, no further verification of compliance of the configuration (construction) of the accommodation and recreational facilities with Title 3 of the MLC (DMLC – Part I, items 8 and 9) is needed. The ML certificate proves that the accommodation of the vessel meets the ML requirements for existing vessels. The accommodation certificate will no longer be issued.

For existing vessels flagging in to the Netherlands' registry with a keel laying date before entry into force of the MLC 2006, the Administration will deal with the verification of compliance of the configuration of the accommodation and recreational facilities with the Seamen's Decree.

Vessels flagging in, with a keel laying date after entry into force of the MLC2006, should be considered as new-building.

For all existing ships the procedural requirements as described in article 3.13, 3.18, 3.20, 3.21 and 4.4 of the Regulation Seafarers should still be verified by the RO.

##### **Exemption(s) for new-building or major conversion**

Exemptions should be requested by the shipowner before the actual start of the new building, conversion or modification related to the requirements for the accommodation and facilities. The shipowner should seek consent with the social partners. If agreed and the requested exemption is in compliance with all relevant requirements and conditions, the Administration can also agree. With the submission of the plan as referred to in article 3.23 of the Seafarer Regulation, the results of the discussion with the social partners will be included. If no consent was achieved, the shipowner may submit a motivated request, stating the exemptions and relevant equivalent arrangements. The Administration will consider the request and decide if an exemption will be granted.

The RO shall verify the configuration of the approved exemption on board the vessel, as included in the DMLC – Part I, before issuance of the ML Certificate.

##### **Smoking Room**

The Seafarers Regulation article 3.13 paragraph 2 has been altered since January 1<sup>st</sup> 2017 regarding the requirement of a separate smoking room. As per this date a separate smoking room is only required on vessels of 8000 GT or more.

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<sup>5</sup> A ship when its keel is laid or when it is at a similar stage of construction, before the date that MLC, 2006 enters into force.



## Hospital

The current text of article 3.12 paragraph 3 of the Regulation seafarers can lead to confusion regarding the required number of actual beds in the hospital. On vessels with a crew of more than 15 but less than 30 persons, one bed is required. On vessels with a crew of more than 30 persons two separate beds are required (not a double bed or a bunk bed). A treatment bench is not considered sufficient because there may be several situations in which prolonged stay in hospital is desired, for example:

- Oxygen needed;
- Separation due to risk of infection,
- Isolate due to risking their own lives or the lives of others (psychosis, severe depression, severe anxiety, tying is sometimes indicated),
- The need for frequent monitoring of blood pressure, pulse, etc. (it is more convenient in a hospital than in one of the cabins)
- To prevent social unrest.

## 5 Inspections

### 5.1 General

All inspections shall be carried out in accordance with the ILO document, *Guidelines for Flag State Inspections under the Maritime Labour Convention, 2006*.

The RO shall make all reasonable efforts to avoid a ship being unreasonably detained or delayed.

The initial, intermediate, interim and renewal inspections, should be carried out given the guidance in article 3.2 of the Guidelines for flag State inspections under the MLC, 2006 ("how to check the basic requirements").

### 5.2 Initial Inspections

Initial inspections shall be conducted to ensure compliance with the national requirements implementing the MLC, 2006.

When DMLC Part II has been verified to be in compliance with DMLC Part I with respect to the ship, the shipowner and the operation is in compliance with the MLC, a Maritime Labour Certificate shall be issued on behalf of the Government of the Netherlands.

See paragraph 6.2 with regards of the scope for the issuance of an Interim Maritime Labour Certificate.

### 5.3 Intermediate Inspections

Intermediate inspections shall be conducted to ensure continuing compliance with the national requirements implementing the MLC, 2006. An intermediate inspection shall be conducted between the second and third anniversary dates<sup>6</sup> of the ML Certificate.

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<sup>6</sup> Anniversary date means the day and month of each year which will correspond to the date of expiry of the ML Certificate



The scope and depth of the intermediate inspection shall be equal to an inspection for renewal of the certificate.

The ML Certificate shall be endorsed by the RO following satisfactory completion of the intermediate inspection.

#### 5.4 Renewal Inspections

Renewal inspections shall encompass inspections for all requirements (scope and depth of an initial inspection) and be completed as follows:

- When the renewal inspection is completed within three (3) months before the expiry of the existing ML Certificate, the new ML Certificate shall be valid from the date of completion of the renewal inspection for a period not exceeding five (5) years from the date of expiry of the existing ML Certificate.
- When the renewal inspection is completed more than three (3) months before the expiry date of the existing ML Certificate, the new ML Certificate shall be valid for a period not exceeding five (5) years starting from the date of completion of the renewal inspection.

#### 5.5 Restore inspection

In case a required inspection has not been carried out or has been carried out outside the "window" (overdue), a restore inspection is mandatory and the Administration should be informed. The scope and the depth of the inspection is to be decided by the Administration and may include an additional ISM audit for which the scope will be provided. After the inspection has been carried out to the satisfaction of the Administration or RO, the certificate shall be provided with the following note:

*"at the request of the Netherlands Administration a more thorough and stringent inspection has been carried out, after which the validity of this certificate has been restored"*.

#### 5.6 Additional inspections

An additional Maritime Labour inspection may be carried out by the authorized RO:

- i. if the Administration receives a complaint which it does not consider manifestly unfounded or obtains evidence that a ship does not conform to the requirements of this Convention or that there are serious deficiencies in the implementation of the measures set out in the DMLC - Part II;
- ii. if after a more detailed inspection by an authorized officer of a port State, the ship is prohibited from proceeding to sea until any conditions on board that are clearly hazardous to the safety, health or security of seafarers; or the deficiency that constitutes a serious or repeated breach of the requirements of this Convention have been rectified, or a plan of action to rectify such deficiencies has been accepted by the authorized officer, and is satisfied that the plan will be implemented in an expeditious manner;
- iii. if after a more detailed inspection by an authorized officer of a port State or flag State deficiencies are raised, requiring additional verification;
- iv. when changes have been made to DMLC – Part I or the measures in DMLC - Part II;
- v. when a substantial alteration has been made to the seafarer accommodation or other structural changes affecting the living conditions (indication by the Administration); or



- vi. other occasions as may be deemed appropriate by the Administration.

## 6 Certification

### 6.1 Maritime Labour Certificate (ML Certificate)

The DMLC – Part I shall be drawn up by the Netherlands Administration and identifies the list of 14 matters to be inspected, the relevant national requirements, ship-type specific requirements under national legislation, any substantially equivalent provisions, and any exemptions granted. The DMLC - Part II shall be drawn up by the shipowner and it shall be signed and stamped, following a successful on-board inspection, to confirm compliance by the relevant RO prior to issuance of the ML Certificate to the shipowner/operator.

The ML Certificate, issued by the RO, affirms that seafarer working and living conditions aboard a ship meets all the Netherlands laws and regulations that govern the implementation of the MLC, 2006.

### 6.2 Interim Maritime Labour Certificate (IMLC)

An IMLC may be issued:

- i. to new build ships on delivery;
- ii. when a ship changes to Netherlands flag;
- iii. when a shipowner assumes responsibility for the operation of a ship which is new to that shipowner; or
- iv. in duly justified cases (after consultation with the Administration), if the initial inspection carried out before entry into force of the MLC, 2006 does not result in a ML-certificate.

An IMLC may only be issued following verification that: the ship has been inspected, as far as reasonable and practicable, with satisfactory results, taken into account the conditions stated below:

- the shipowner has submitted a preliminary draft of the DMLC - Part II to the RO which outlines the measures that the shipowner proposes to demonstrate compliance with the MLC, 2006, taking into account the Netherlands' requirements available on the website of the Administration;
- the shipowner has demonstrated to the RO that the ship has adequate procedures adopted in the draft of the DMLC-Part II to comply with the requirements of the Convention and national requirements;
- the Master is familiar with the requirements and the responsibilities for implementation;
- the shipowner has submitted to the Administration, the relevant information to produce a DMLC-Part I.

### 6.3 Amendments to the MLC

As per January 18<sup>th</sup> 2017 two matters have been added to the MLC Convention: the liability of the shipowners for the repatriation of seafarers and the liability of shipowners for the abandonment of seafarers. However, the implementation of these amendments into the Dutch legislation has been delayed in the Netherlands. The expectation is that the amendments will enter into force for the Netherlands from January 1<sup>st</sup> 2018. Nonetheless, shipowners have to meet the requirements of these amendments per January 18<sup>th</sup> 2017.





Documentary proof of the required insurances must be available on board of Dutch flagged vessels.

#### 6.4 Changes

##### ***DMLC - Part I***

In case of changes in ships name, Gross Tonnage or type of ship, an amended DMLC Part I will be issued. Furthermore, only affected pages in the DMLC - Part II, if any, must be submitted to the RO which certified the DMLC Part II and issued the ML Certificate. An amended ML Certificate with the new issue date and the same expiry dates as the original ML Certificate will be issued by the RO. The endorsement for the intermediate inspection, if carried out, shall be transferred to the new certificate, with date and location. The endorsement shall be stamped, dated and signed.

The Administration will inform ROs and shipowners of regulatory changes to the DMLC - Part I. Depending on the nature of the changes to the DMLC - Part I, the Administration will provide instructions with regard to the procedures to be followed for specific amendments. Intended changes of the regulatory framework will be communicated in the regular liaison meetings as referred to in article 6.6 of the Agreement.

Editorial changes (non-substantial) to the DMLC-Part I will be collected and processed at the next substantial change (see below).

In case of substantial (indicated by the Administration) changes to the DMLC - Part I, requiring updating of the DMLC - Part II, a new DMLC - Part I will be issued to each ship or an addendum to the existing DMLC - Part I will be issued. An additional Maritime Labour inspection may be required to verify the new measures of the shipowner and a new DMLC - Part II may be reviewed to confirm compliance.

The shipowner is responsible for the timely application for a new DMLC part I which contains the amendments before the ML Certificate expires and before the RO carries out the ML renewal inspection.

If necessary, an amended ML Certificate with the new issue date, DMLC issue date, and the same expiry date as the previous ML Certificate will be issued by the RO. The endorsement for the intermediate inspection, if carried out, shall be transferred to the new certificate, with date and location. The endorsement shall be stamped, dated and signed.

In general, changes to the DMLC - Part I should be implemented within three (3) months after entering into force of the amendments of the regulatory framework. Furthermore, the Administration will indicate the timeframe that a ML inspection should be carried out, if necessary. Usually this would be the first inspection scheduled (intermediate or renewal).

##### ***DMLC - Part II***

The shipowner shall inform the RO of changes to the DMLC - Part II.

- In case of editorial changes to the DMLC - Part II (e.g. name, contact information of the shipowner) not leading to updating of other parts of the DMLC Part II, only the



amended pages of the DMLC - Part II shall be submitted to the RO for review and acceptance. If it affects the contents of the ML Certificate (the particulars), a new certificate may need to be issued (endorsements to be transferred), keeping the current expiry date.

- In case of any change, other than editorial, to the measures in DMLC - Part II, a new DMLC - Part II must be submitted to the RO for review. An additional Maritime Labour inspection is required to verify the new measures of the shipowner and a new DMLC - Part II must be reviewed to confirm compliance.

An amended ML Certificate with the new issue date, DMLC issue date, and the same expiry date as the previous ML Certificate will be issued by the RO. The endorsement for the intermediate inspection, if carried out, shall be transferred to the new certificate, with date and location. The endorsement shall be stamped, dated and signed.

#### Deficiencies

Any deficiencies identified during the inspection shall be recorded.

A ML Certificate shall not be issued, endorsed or renewed, until deficiencies related to approved measures in the DMLC – Part II are rectified or a corrective action plan has been provided by the shipowner. This plan shall be accepted by the RO to rectify the deficiencies within a specified time-frame, not exceeding three (3) months, to implement the necessary corrective actions.

Where there is no clear ground of non-compliance that endangers the safety, health or security of the seafarers and where there is no prior history of similar deviations, an RO shall have the discretion to instruct the shipowner instead of starting procedures for withdrawal of the ML Certificate (as described in the Decree Mandate and Authorization of certification of sea-going ships).

When a corrective action plan to rectify the (serious<sup>7</sup>) deficiencies has been accepted by the RO, an additional Maritime Labour inspection is always required. For deficiencies, carrying out an additional inspection to verify the implementation of the corrective action plan will be up to the discretion of the RO.

Where an additional Maritime Labour inspection is not deemed necessary, evidence of implementation of the corrective action shall be submitted within the agreed time-frame and verification of the implementation of the corrective actions will be carried out at the next scheduled inspection.

If (part of) the deficiencies to be rectified involve another RO (authorized for the certification services related to other Conventions<sup>8</sup>) or department within the organization of the RO, the RO authorized for the MLC shall inform the RO or other department concerned and establish if appropriate action has been taken to resolve the deficiencies within an acceptable time-frame. Prime responsibility to verify the resolve of the deficiency related to the other

<sup>7</sup> Serious deficiencies are defined as deficiencies that require the detention of a ship, as referred to in paragraph 5.2 of the Guidelines for Port State Control. In case of any doubt, the Administration should be contacted.

<sup>8</sup> SOLAS, MARPOL, Load Line or Tonnage Measurement



Conventions, lies with the RO (or department) authorized for the deficiency (e.g. in the field of safety construction, ISM, class rules etc.).

### 8 Complaints

Where a complaint cannot be resolved on board or with the shipowner, a seafarer may lodge a complaint with the Netherlands Shipping Inspectorate (or directly if the seafarer deems it necessary). Complaints to the Administration shall be lodged through the email address: [psc@ilent.nl](mailto:psc@ilent.nl).

If the Netherlands Shipping Inspectorate receives a complaint that obtains evidence that a ship that flies the flag of the Netherlands does not conform to the requirements of the MLC, 2006 or that there are serious deficiencies in the implementation of measures set out in the DMLC, the Administration may instruct (including detailed scope) the RO to carry out an additional inspection. However, the responsibility for resolution of a complaint remains with the Netherlands Shipping Inspectorate.

### 9 Reporting

#### 9.1 General

The Administration shall be granted (if possible electronic) access to all relevant information, such as Rules and Interpretations, instructions for surveyors, all plans and documents, including reports on inspections on the basis of which certificates are issued or endorsed by RO and certificates issued regarding ships registered in the Netherlands. Furthermore, all information as mentioned in article 6.1 (Central Register) of the Netherlands Seafarer Regulation shall be available upon request.

The Administration shall, at the request of the RO, provide all necessary documentation in the English language for the purpose of RO's provision of inspection of existing ships, and the declaration of compliance (reference is made to item 4.2 of this Instruction) with items 8 (Accommodation) and 9 (Recreational facilities) of the DMLC – Part I.

#### 9.2 Reporting serious deficiencies

The RO shall immediately 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 Administration. The RO will confirm that the shipowner has determined and initiated appropriate corrective action to correct the deficiencies or to correct the causes of the deficiencies before the ship departs port.

In the case of any serious deficiencies which represent a significant danger or constitute a serious breach of the requirements of this Convention (including seafarers' rights), the RO shall, after consultation with the Administration, withdraw or refuse to issue the ML Certificate, unless the deficiencies are rectified or a corrective action plan to rectify the deficiencies has been accepted by the RO.

Further reference is made to the instructions prescribed in Instruction to RO. 15 - Reporting and procedure for non-compliance.



### 9.3 Annual report

The Administration shall publish an annual report within a reasonable time, not exceeding six (6) months after the end of the year and should contain:

- A list of laws and regulations in force relevant to seafarers' working and living conditions and any amendments which have come into effect during the year;
- Details of the organization of the system of inspection;
- Statistics of ships or other premises subject to inspection and of ships and other premises actually inspected;
- Statistics on all seafarers subject to its national laws and regulations;
- Statistics and information on violations of legislation, penalties imposed and cases of detention of ships; and
- Statistics on reported occupational injuries and diseases affecting seafarers.

The RO shall assist the Administration in meeting this requirement by providing applicable statistics and other information requested and required to produce this Annual Report.

### 10 Additional information

In case this Instruction to RO is not found sufficient for the verification of compliance of the MLC or it does not provide proper guidance in any specific case, the Administration shall be consulted for further instructions.



## Appendix 1 Scope of activities with regard to the Maritime Labour Convention, 2006

**Table overview authorization MLC, 2006**

Item	Scope
Verifying compliance with the MLC, 2006 and issuance of certificates.	The RO has the authority for verifying compliance with the MLC, including the re Parts I, II and required certification services The RO is authorized to carry out a considered necessary to determine that the standards of the MLC 2006 (including complied with.
Review and undersigning DMLC - part II.	The DMLC - Part II shall be drawn up by the shipowner and it shall be signed an board inspection to confirm compliance, by the relevant RO prior to issuance of shipowner/operator.
Rectification of deficiencies at the request of a port State.	Furthermore, the RO is authorized to require the rectification of deficiencies that addressed in chapter 3 of the Guidelines for flag State inspections (reference is Instruction) and to carry out inspections in this regard at the request of a port .

**Table overview certificates MLC, 2006**

Certificate	Issued by		NL Legislation	Inspections						Plan/D approv.
	RO	NL		Initial	Renewal	Periodical	Intermediate	Annual	Additional	
1=Initial N=Renewal Maritime Labour Certificate	1,N	-	Regulation Seafarers Article 5.3	RO*	RO	-	RO	-	NL/RO	RO*
Interim ML Certificate	1	-	Regulation Seafarers Article 5.5	RO	-	-	-	-	-	RO
Declaration Maritime Labour Compliance – Part I	-	1,N	Regulation Seafarers Article 5.1	-	-	-	-	-	-	NL
Declaration Maritime Labour Compliance – Part II	-	-	Regulation Seafarers Article 5.1	-	-	-	-	-	-	RO
Exemptions	-	1,N	Regulation Seafarers Article 5.1	RO	RO	-	RO	-	NL/RO	NL