

Declaration of Maritime Labour Compliance – Part I (Supplement)

The Declaration of Maritime Labour Compliance–Part I for Hong Kong registered ships was initially issued in 2013. This document serves as a supplement to the abovementioned DMLC-Part I by including the two items as required by the Amendments of 2014 to the Maritime Labour Convention, 2006.

Name of ship	IMO number	Gross tonnage

15 Financial security to provide assistance to seafarers when abandoned (MLC Regulation 2.5)

- .1 A financial security must be in force in respect of a ship to ensure that any seafarer employed to work on board the ship is provided with assistance when the seafarer is abandoned.
- .2 The financial security-
 - (a) must be in the form of an insurance policy;
 - (b) must comply with the requirements set out in paragraphs 4, 8, 9, 10 and 12 of Standard A2.5.2 of the ML Convention;
 - (c) must not be terminated before the expiry date of the security, unless the provider of the security has given to the Authority at least 30 days prior notice in writing; and
 - (d) must not prejudice any right of recourse of the provider of the security against third parties.
- .3 A seafarer is regarded to be abandoned under the circumstances listed in paragraph 2 of Standard A2.5.2 of the ML Convention.
- .4 A ship must carry on board in respect of the financial security referred to MLC Regulation 2.5 -
 - (a) a certificate or other documentary evidence a financial security issued by each provider of the security; and
 - (b) have a copy of the certificate or other documentary evidence displayed in a conspicuous position on board the ship, which is accessible to the seafarers on it.
- .5 The certificate or other documentary evidence—
 - (a) must contain the particulars and information set out in Appendix A2-I to the ML Convention; and
 - (b) must be in English or accompanied by an English translation.

16 Financial security to secure compensation for liability claims (MLC Regulation 4.2)

- .1 A financial security must be in force in respect of a ship to ensure the payment of compensation for any liability claim brought in respect of any seafarer employed to work on board the ship under -
 - (a) the law of Hong Kong;
 - (b) the seafarer's employment agreement; or
 - (c) any agreement voluntarily entered into between one or more shipowners' organizations and one or more seafarers' organizations that satisfies the following conditions -
 - (i) the agreement relates to the working and living conditions of seafarers;
 - (ii) the shipowner of the ship is a member of the shipowners' organization or at least one of the shipowners' organizations, as the case requires; and
 - (iii) the seafarer is a member of the seafarers' organization or at least one of the seafarers' organizations, as the case requires.
- .2 The financial security -
 - (a) must be in the form of an insurance policy;
 - (b) must comply with the requirements set out in paragraphs 8(a), (b), (c), (d) and (e) and 13 of Standard A4.2.1 of the ML Convention; and
 - (c) must not be terminated before the expiry date of the security, unless the provider of the security has given to the Authority at least 30 days prior notice in writing.
- .3 If a financial security referred to in subsection (1) is to be cancelled or terminated, the provider of the security must give the seafarers employed to work on board the ship at least 30 days prior notice in writing.
- .4 If a financial security referred to in subsection (1) is cancelled or terminated, the provider of the security must, by written notice within 30 days of the cancellation or termination, inform the Authority of the cancellation or termination.
- .5 Liability claim means a claim in respect of the death or long-term disability of a seafarer due to an occupational injury, illness or hazard.
- .6 A ship must carry on board in respect of the financial security referred to MLC Regulation 4.2 -
 - (a) a certificate or other documentary evidence a financial security issued by each provider of the security; and
 - (b) have a copy of the certificate or other documentary evidence displayed in a conspicuous position on board the ship, which is accessible to the seafarers on it.
- .7 The certificate or other documentary evidence -
 - (c) must contain the particulars and information set out in Appendix A4-I to the ML Convention; and
 - (d) must be in English or accompanied by an English translation.

Date: 11 November 2016