

Subject

Tokyo and Paris MoU Joint Concentrated Inspection Campaign (CIC) on Crew Wages and Seafarer Employment Agreement (MLC, 2006)

# **ClassNK**

## ***Technical Information***

No. TEC-1330

Date 13 August 2024

To whom it may concern

This is to inform that the Tokyo and the Paris Memoranda of Understanding (MoU) on Port State Control announced a press release about the joint concentrated inspection campaign (CIC).

Inspection item: Crew Wages and Seafarer Employment Agreement (MLC, 2006)

Campaign period: From 1 September 2024 to 30 November 2024

For more information, please refer to the attached press release issued by the Tokyo MoU and the Paris MoU.

For any questions about the above, please contact:

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Attachment:

1. Tokyo MoU Press Release
2. Paris MoU Press Release

NOTES:

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# Press release



1 August 2024

## **JOINT CONCENTRATED INSPECTION CAMPAIGN ON CREW WAGES AND SEAFARERS' EMPLOYMENT AGREEMENTS (MLC)**

**The Member Authorities of the Tokyo and the Paris Memoranda of Understanding (MoU) on Port State Control will launch a joint Concentrated Inspection Campaign (CIC) on Crew Wages and Seafarers' Employment Agreements (MLC, 2006)**

The purpose of the campaign is:

- to create awareness within the shipping industry about the requirements on Crew Wages and Seafarer Employment Agreements (MLC); and
- to verify that ships comply with these requirements.

This inspection campaign will be held for three months, commencing from 1 September 2024 and ending 30 November 2024. The campaign will examine specific areas related to Crew Wages, Seafarers' Employment Agreements and financial securities (repatriation and shipowners' liability) (MLC, 2006) during regular Port State Control inspections.

A ship will be subject to only one inspection under this CIC during the period of the campaign.

Port State Control Officers (PSCOs) will use a pre-defined questionnaire to assess that crew wages, seafarers' employment agreements (SEAs) and financial securities provided comply with the relevant MLC requirements.

If non-conformities are found, actions by the port State may vary from recording a deficiency and instructing the master to rectify it within a certain period of time to detaining the ship until the serious deficiencies have been rectified or until the port State has accepted a proposal for a plan of action. In the case of detention, publication in the monthly detention lists of the Tokyo and Paris MoU websites will take place.

The results of the campaign will be analysed and findings will be presented to the governing bodies of both MoUs for possible submission to the ILO and IMO.

| Paris MOU   | Tokyo MOU  |
|---|--|
| <p>Mr. Luc Smulders<br/>Secretary-General<br/>Paris MoU on Port State Control<br/>PO Box 16191<br/>2500 BD The Hague<br/>The Netherlands<br/>Tel: +31-70-4561508</p> <p>E-mail: <a href="mailto:secretariat@parismou.org">secretariat@parismou.org</a><br/>Web-site: <a href="http://www.parismou.org">www.parismou.org</a></p> | <p>Mr. KUBOTA Hideo<br/>Secretary, Tokyo MOU Secretariat<br/>Ascend Shimbashi 8F<br/>6-19-19, Shimbashi,<br/>Minato-ku, Tokyo<br/>Japan 105-0004<br/>Tel: +81-3-3433 0621<br/>Fax: +81-3-3433 0624<br/>E-mail: <a href="mailto:secretariat@tokyo-mou.org">secretariat@tokyo-mou.org</a><br/>Web-site: <a href="http://www.tokyo-mou.org">www.tokyo-mou.org</a></p> |

Notes to editors:

| Paris MOU  | Tokyo MOU   |
|--|---|
| <p>Regional Port State Control was initiated in 1982 when fourteen European countries agreed to coordinate their port State inspection effort under a voluntary agreement known as the Paris Memorandum of Understanding on Port State Control (Paris MOU). Currently 28 countries are member of the Paris MOU (The membership of the Russian Federation is currently suspended). The European Commission, although not a signatory to the Paris MOU, is also a member of the Committee.</p> <p>The Paris MoU is supported by a central database THETIS hosted and operated by the European Maritime Safety Agency in Lisbon. Inspection results are available for search and daily updating by MoU Members. Inspection results can be consulted on the Paris MoU public website and are published on the Equasis public website.</p> <p>The Secretariat of the MoU is provided by the Netherlands Ministry of Infrastructure and Water Management and located in The Hague.</p> | <p>The Memorandum of Understanding on Port State Control in the Asia-Pacific Region, known as the Tokyo MOU, was signed among eighteen maritime Authorities in the region on 1 December 1993 and came into operation on 1 April 1994. Currently, the Memorandum has 22 full members, namely: Australia, Canada, Chile, China, Fiji, Hong Kong (China), Indonesia, Japan, Republic of Korea, Malaysia, Marshall Islands, Mexico, New Zealand, Panama, Papua New Guinea, Peru, Philippines, Russian Federation, Singapore, Thailand, Vanuatu and Viet Nam.</p> <p>The Secretariat of the Memorandum is located in Tokyo, Japan. The PSC database system, the Asia-Pacific Computerized Information System (APCIS), was established. The APCIS centre is located in Moscow, under the auspices of the Ministry of Transport of the Russian Federation.</p> |
| <p>Port State Control is a check on visiting foreign ships to verify their compliance with international rules on safety, pollution prevention and seafarers living and working conditions. It is a means of enforcing compliance in cases where the owner and flag State have failed in their responsibility to implement or ensure compliance. The port State can require deficiencies to be corrected, and detain the ship for this purpose if necessary. It is therefore also a port State's defence against visiting substandard shipping.</p>  |   |



**CIC on Crew Wages and Seafarer Employment Agreement (MLC)**

|                             |  |                        |  |
|-----------------------------|--|------------------------|--|
| <b>Inspection Authority</b> |  |                        |  |
| <b>Ship Name</b>            |  | <b>IMO Number</b>      |  |
| <b>Date of Inspection</b>   |  | <b>Inspection Port</b> |  |

| No.   | Item   | Yes | No | N/A | Detention |
|-------|--|-----|----|-----|-----------|
| Q1*   | Is the seafarer given a SEA signed by both the seafarer and the shipowner or a representative of the shipowner?  |     |    |     |           |
| Q2*   | Is the seafarer able to access information regarding their employment conditions on board?   |     |    |     |           |
| Q3    | Are standard form of seafarers' employment agreements and parts of any applicable collective bargaining agreements subject to port State control under Reg.5.2, available in English?          |     |    |     |           |
| Q4*   | Does the seafarers' employment agreement include all the required elements specified in the MLC, 2006?   |     |    |     |           |
| Q5*   | Do particulars included in the seafarers' employment agreement comply with MLC, 2006 requirements?   |     |    |     |           |
| Q6*   | Are wage or salary payments made to the seafarer at no greater than monthly intervals?   |     |    |     |           |
| Q7*   | Have seafarers been given a status of accounts and wages paid on at least a monthly basis?   |     |    |     |           |
| Q8*   | Are wage or salary payments in accordance with any applicable CBA or SEA?  |     |    |     |           |
| Q9*   | If payments made to a seafarer include deductions, are they in accordance to the MLC, 2006?  |     |    |     |           |
| Q10a* | Is a certificate or documentary evidence of financial security, issued by the financial security provider, available on board in the event of compensation for death and long-term disability? |     |    |     |           |
| Q10b* | Is a certificate or documentary evidence of financial security, issued by the financial security provider, available on board in the event of the repatriation?                                |     |    |     |           |

Note:

- Questions 1 to 10b answered with a "NO" MUST be accompanied by a relevant deficiency on the Report of Inspection.
- If the box "NO" is ticked off for questions marked with an "\*\*", the ship may be considered for detention.



# Press release



1 August 2024

## **JOINT CONCENTRATED INSPECTION CAMPAIGN ON CREW WAGES AND SEAFARER EMPLOYMENT AGREEMENTS (MLC, 2006)**

**The Member Authorities of the Tokyo and the Paris Memoranda of Understanding (MoU) on Port State Control will launch a joint Concentrated Inspection Campaign (CIC) on Crew Wages and Seafarer Employment Agreements (MLC, 2006)**

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- to verify that ships comply with these requirements.

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A ship will be subject to only one inspection under this CIC during the period of the campaign.

Port State Control Officers will use a pre-defined questionnaire to assess that crew wages, seafarer employment agreements and financial securities provided comply with the relevant MLC requirements.

If non-conformities are found, actions by the port State may vary from recording a deficiency and instructing the master to rectify it within a certain period of time to detaining the ship until the serious deficiencies have been rectified or until the port State has accepted a proposal for a plan of action. In the case of detention, publication in the monthly detention lists of the Tokyo and Paris MoU websites will take place.

The results of the campaign will be analysed and findings will be presented to the governing bodies of both MoUs for possible submission to the International Labour Organization and the International Maritime Organization.

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| <b>CIC ON CREW WAGES AND SEAFARER EMPLOYMENT AGREEMENTS (MLC, 2006)</b> |  |                        |  |
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| <b>Inspection Authority</b>   |  |                        |  |
| <b>Ship's name</b>  |  | <b>IMO number</b>      |  |
| <b>Date of inspection</b>   |  | <b>Inspection port</b> |  |

| No.   | Question   | Yes | No | N/A | Detention |
|-------|--|-----|----|-----|-----------|
| Q1*   | Is the seafarer given a SEA signed by both the seafarer and the shipowner or a representative of the shipowner?  |     |    |     |           |
| Q2*   | Is the seafarer able to access information regarding their employment conditions on board?   |     |    |     |           |
| Q3    | Are standard form of seafarer employment agreements and parts of any applicable collective bargaining agreements, subject to port State control under Reg. 5.2, available in English?          |     |    |     |           |
| Q4*   | Does the seafarer employment agreement include all the required elements specified in the MLC, 2006?   |     |    |     |           |
| Q5*   | Do particulars included in the seafarer employment agreement comply with the MLC, 2006 requirements?   |     |    |     |           |
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- Notes:
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