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FLEET SAFETY LETTER 060120.GEN

1 June 2020

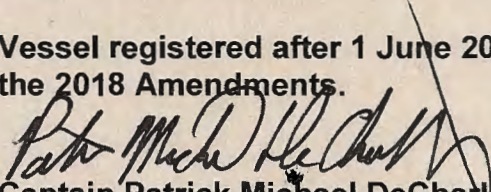
Applicable to: This circular should be brought to the attention of all Port State Control Officers, ship-owners, ship managers, operators and Masters of Vanuatu-registered ships.

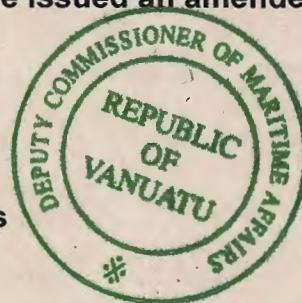
RE: Maritime Labor Convention 2018 amendments

On 1 January 2021, the new amendments regarding Seafarer Employment Agreements will come in to force. The Amendments to the Code for Regulations 2.1 and 2.2 provide for the extensions of Seafarer Employment Agreements while a seafarer is held captive as a result of piracy or armed robbery and the owner's responsibility to continue wages and other benefits during the captivity. The exact wording and requirements are attached on the page 2 of this Fleet Safety Letter.

This Fleet Safety Letter is an Amendment to the DMLC Part I issued to vessels presently registered with this Administration and in compliance with the MLC 2006 Convention as amended. As long as the MLC compliant vessel attaches this Fleet Safety Letter to its DMLC Part I, VMSL will not issue any new DMLC Part I to any vessel in compliance as to the date of this Fleet Safety Letter. Likewise no new DMLC Part II will need to be submitted and no new MLC Certificate will be required to be issued.

Vessel registered after 1 June 2020 will be issued an amended DMLC Part I with the 2018 Amendments.


Captain Patrick Michael DeCharles, II
by direction of the
Deputy Commissioner of Maritime Affairs
The Republic of Vanuatu



2018 AMENDMENTS TO THE CODE OF THE MARITIME LABOUR CONVENTION 2006 AS AMENDED

Amendment to the Code of the MLC, 2006, relating to Regulation 2.1

Standard A2.1 – Seafarers' employment agreements

7. Each Member shall require that a seafarer's employment agreement shall continue to have effect while a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships, regardless of whether the date fixed for its expiry has passed or either party has given notice to suspend or terminate it. For the purpose of this paragraph, the term: (a) piracy shall have the same meaning as in the United Nations Convention on the Law of the Sea, 1982; (b) armed robbery against ships means any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State's internal waters, archipelagic waters and territorial sea, or any act of inciting or of intentionally facilitating an act described above.

Amendment to the Code of the MLC, 2006, relating to Regulation 2.2

Standard A2.2 – Wages

7. Where a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships, wages and other entitlements under the seafarers' employment agreement, relevant collective bargaining agreement or applicable national laws, including the remittance of any allotments as provided in paragraph 4 of this Standard, shall continue to be paid during the entire period of captivity and until the seafarer is released and duly repatriated in accordance with Standard A2.5.1 or, where the seafarer dies while in captivity, until the date of death as determined in accordance with applicable national laws or regulations. The terms piracy and armed robbery against ships shall have the same meaning as in Standard A2.1, paragraph 7. A