



Sayı : 38591462-405.99-2024-1432

14.06.2024

Konu : 2024 Yılı Yoğunlaştırılmış Denetim Kampanyası  
(MLC 2006)

Sirküler No: 436

Sayın Üyemiz,

Ulaştırma ve Altyapı Bakanlığı, Denizcilik Genel Müdürlüğü'nden alınan ve ekte sunulan 13.06.2024 tarihli ve 1971847 sayılı yazıda, bölgesel liman devleti kontrolü (PSC) memorandumları kapsamında her yıl düzenli olarak önceden belirlenen konularda yoğunlaştırılmış denetim kampanyası (CIC) düzenlenmekte olduğu ve bu kapsamda, 1 Eylül – 30 Kasım 2024 tarihleri arasında Paris, Tokyo, Akdeniz, Karadeniz ve Hint Okyanusu (Indian Ocean) Liman Devleti Kontrolü Memorandumları ile Avustralya Deniz Emniyeti Otoritesi (AMSA) tarafından "Gemi insanı maaşları ve iş sözleşmeleri (MLC 2006)" konulu CIC gerçekleştirileceği ifade edilmektedir.

Yazıda devamla, uluslararası sefer yapan Türk Bayraklı gemilerin ve gemi personelinin 1 Eylül - 30 Kasım 2024 tarihleri arasında özellikle Paris ve Tokyo MoU'da gerçekleştirilecek olan denetim kampanyasına hazırlanmasını ve kampanya süresince gemilerimizde tutulma yaşanmamasını teminen, bahse konu CIC'nın, Liman Başkanlıkları ve Yetkilendirilmiş Kuruluşlar tarafından 15 Haziran – 30 Kasım 2024 tarihleri arasında uygulanacağı, uluslararası sefer yapan Türk Bayraklı gemilere yoğunlaştırılmış denetim kampanyası boyunca Liman Başkanlıklarında görevli gemi denetim uzmanları tarafından yapılacak her belgelendirme, ön sömvey veya program dışı denetimde, bir sureti yazıları ekinde gönderilmekte olan kontrol listesinin doldurulacağı, bir nüshasının gemiye bırakılacağı ancak bir defaya mahsus Elektronik Sertifika Sistemi (ESS)-Doküman-CIC-Kontrol Listesi (Dinamik Veri Girişi) kısmına girileceği açıklanmaktadır.

Kontrol listesine yönelik denetimin nasıl yapılacağı hakkındaki bilgilere ekte yer alan rehber veya Elektronik Sertifika Sistemi(ESS)-Doküman-CIC kısmında bulunan kontrol listesi rehberinden ulaşılabileceği ve Yetkilendirilmiş Kuruluşlar tarafından, uluslararası sefer yapan Türk Bayraklı gemilere yoğunlaştırılmış denetim kampanyası boyunca gemi üzerinde yapılacak her periyodik sömveyin, ekli Rehber dikkate alınarak bir sureti yazıları ekinde gönderilmekte olan kontrol listesinin gözetilerek gerçekleştirilmesi, kontrol listesinin bir suretinin gemiye bırakılması ve bir örneğinin Bakanlıkları e-posta adresine (psc@uab.gov.tr) gönderilmesi gerektiği ifade edilmektedir.

Bu itibarla, konunun önemine binaen sektöre duyurulması istenmekte olup, bahse konu MoU'lar, Bakanlık ve Yetkilendirilmiş Kuruluşlar tarafından yapılacak denetimlere ilişkin gerekli tedbirlerin gemi donatanları / işletmecileri tarafından alınmasının önem arz ettiği bildirilmektedir.

Bilgilerinize arz / rica ederim.

Saygılarımla,

*e-imza*İsmet SALİHOĞLU  
Genel Sekreter

**Bu belge, 5070 sayılı Elektronik İmza Kanuna göre Güvenli Elektronik İmza ile İmzalanmıştır.**



Evrakı Doğrulamak İçin :  
<https://ebys.denizticaretodasi.org.tr/enVision/Dogrula/BSNZ940T0>  
Bilgi için: Mustafa YAVUZYILMAZ Telefon: 02122520130/156  
E-Posta: mustafa.yavuzyilmaz@denizticaretodasi.org.tr  
Meclis-i Mebusan Caddesi No:22 34427 Fındıklı-Beyoğlu-İSTANBUL/TÜRKİYE  
Tel : +90 (212) 252 01 30 (Pbx) Faks: +90 (212) 293 79 35 KEP: imeakdto@hs01.kep.tr  
Web: www.denizticaretodasi.org.tr E-mail: iletisim@denizticaretodasi.org.tr



**Ek:Denizcilik Genel Müdürlüğü'nden alınan yazı ve ekleri (22 sayfa)**

## Dağıtım:

## Gereği:

- Tüm Üyeler (WEB sayfası ve e-posta ile)
- İMEAK DTO Şube ve Temsilcilikleri
- Türk Armatörler Birliği
- S.S. Armatörler Taşıma ve İşletme Kooperatifi
- GİSBİR (Türkiye Gemi İnşa Sanayicileri Birliği Derneği)
- Gemi, Yat ve Hizmetleri İhracatçıları Birliği
- VDAD (Vapur Donatanları ve Acenteleri Derneği)
- TÜRKLİM (Türkiye Liman İşletmecileri Derneği)
- KOSDER (Koster Armatörleri ve İşletmecileri Derneği)
- GBD (Gemi Brokerleri Derneği)
- S.S. Anadolu Yakası Kumcular Üretim ve Pazarlama Kooperatifi
- ROFED (Kabotaj Hattı Ro-Ro ve Feribot İşletmecileri Derneği)
- Yalova Altınova Tersane Girişimcileri San.ve Tic.A.Ş.
- UTİKAD (Uluslararası Taşımacılık ve Lojistik Hizmet Üretenleri Derneği)
- TAİS (Türk Armatörleri İşverenler Sendikası)
- WISTA Türkiye Derneği
- Türk Uzakyol Gemi Kaptanları Derneği
- Türk Kılavuz Kaptanlar Derneği
- GEMİMO (Gemi Makineleri İşletme Mühendisleri Odası)
- TMMOB GMO (Gemi Mühendisleri Odası)
- Gemi Acenteleri
- Gemi Sahibi Firmalar

## Bilgi:

- Yönetim Kurulu Başkan ve Üyeleri
- İMEAK DTO Şube YK Başkanları
- İMEAK DTO Meslek Komite Başkanları

**Bu belge, 5070 sayılı Elektronik İmza Kanuna göre Güvenli Elektronik İmza ile İmzalanmıştır.**



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<https://ebys.denizticaretodasi.org.tr/enVision/Dogrula/BSNZ940T0>  
Bilgi için: Mustafa YAVUZYILMAZ Telefon: 02122520130/156  
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Web: www.denizticaretodasi.org.tr E-mail: iletisim@denizticaretodasi.org.tr





T.C.  
ULA TIRMA VE ALTYAPI BAKANLI I  
Denizcilik Genel Müdürlü ü

Sayı : E-80368960-105.99-1971847

13.06.2024

Konu : 2024 Yılı Yoğunlaştırılmış Denetim  
Kampanyası (MLC 2006)

DAĞITIM YERLERİNE

Bilindiği üzere, bölgesel liman devleti kontrolü (PSC) memorandumları kapsamında her yıl düzenli olarak önceden belirlenen konularda yoğunlaştırılmış denetim kampanyası (CIC) düzenlenmektedir. Bu kapsamda, 1 Eylül – 30 Kasım 2024 tarihleri arasında Paris, Tokyo, Akdeniz, Karadeniz ve Hint Okyanusu (Indian Ocean) Liman Devleti Kontrolü Memorandumları ile Avustralya Deniz Emniyeti Otoritesi (AMSA) tarafından "*Gemi insanı maaşları ve iş sözleşmeleri (MLC 2006)*" konulu CIC gerçekleştirilecektir.

Uluslararası sefer yapan Türk Bayraklı gemilerin ve gemi personelinin 1 Eylül – 30 Kasım 2024 tarihleri arasında özellikle Paris ve Tokyo MoU'da gerçekleştirilecek olan denetim kampanyasına hazırlanmasını ve kampanya süresince gemilerimizde tutulma yaşanmamasını teminen, bahse konu CIC, Liman Başkanlıkları ve Yetkilendirilmiş Kuruluşlar tarafından 15 Haziran – 30 Kasım 2024 tarihleri arasında uygulanacaktır.

Bu kapsamda, uluslararası sefer yapan Türk Bayraklı gemilere yoğunlaştırılmış denetim kampanyası boyunca Liman Başkanlıklarında görevli gemi denetim uzmanları tarafından yapılacak her belgelendirme, ön sorvey veya program dışı denetimde, bir sureti Ek-1'de gönderilmekte olan kontrol listesi doldurulacak, bir nüshası gemiye bırakılacak ancak bir defaya mahsus *Elektronik Sertifika Sistemi (ESS)-Doküman-CIC-Kontrol Listesi (Dinamik Veri Girişi)* kısmına girilecektir. Kontrol listesine yönelik denetimin nasıl yapılacağı hakkındaki bilgilere Ek-2'de yer alan rehber veya *Elektronik Sertifika Sistemi (ESS)-Doküman-CIC* kısmında bulunan kontrol listesi rehberinden ulaşılabilecektir.

Yetkilendirilmiş Kuruluşlar tarafından, uluslararası sefer yapan Türk Bayraklı gemilere yoğunlaştırılmış denetim kampanyası boyunca gemi üzerinde yapılacak her periyodik sorveyin, Ek-2'de yer alan Rehber dikkate alınarak bir sureti Ek-1'de gönderilmekte olan kontrol listesinin gözetilerek gerçekleştirilmesi, kontrol listesinin bir suretinin gemiye bırakılması ve bir örneğinin Bakanlığımız e-posta adresine ([psc@uab.gov.tr](mailto:psc@uab.gov.tr)) gönderilmesi gerekmektedir.

Bu itibarla, konunun önemine binaen sektöre duyurulması; bahse konu MoU'lar, Bakanlığımız ve Yetkilendirilmiş Kuruluşlar tarafından yapılacak denetimlere ilişkin gerekli tedbirlerin gemi donatanları / işletmecileri tarafından alınması önem arz etmektedir.

Bilgilerinizi ve gereğini rica ederim.

Ünal BAYLAN  
Bakan a.  
Denizcilik Genel Müdürü

**Bu belge, güvenli elektronik imza ile imzalanmıştır.**

Do rulama Kodu: B1EF87BB-CD9A-4790-B87A-E3C52AA124BB

Do rulama Adresi: <https://www.turkiye.gov.tr/uab-ebys>

Hakkı Turaylıç Caddesi No:5 06338 Emek / Çankaya / ANKARA  
KEP Adresi : [uab@hs01.kep.tr](mailto:uab@hs01.kep.tr)

Bilgi için:Koray KORKMAZ  
Denizcilik Sorvey  
Mühendisi(Koordinatör)



Ek:

1 - Kontrol Listesi (2 Sayfa)

2 - Rehber (18 Sayfa)

Dağıtım:

Bölge Liman Başkanlıklarına  
Yetkilendirilmiş Klas Kuruluşlarına  
İstanbul ve Marmara, Ege, Akdeniz, Karadeniz  
Bölgeleri Deniz Ticaret Odası Başkanlığı (İmeak)  
Türk Armatörler Birliğine

**Bu belge, güvenli elektronik imza ile imzalanmıştır.**

Doğrulama Kodu: B1EF87BB-CD9A-4790-B87A-E3C52AA124BB

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Hakkı Turaylıç Caddesi No:5 06338 Emek / Çankaya / ANKARA  
KEP Adresi : [uab@hs01.kep.tr](mailto:uab@hs01.kep.tr)

Bilgi için: Koray KORKMAZ  
Denizcilik Sörvey  
Mühendisi (Koordinatör)





**T.C. ULAŞTIRMA VE ALTYAPI BAKANLIĞI**  
**Denizcilik Genel Müdürlüğü**  
Republic of TÜRKİYE  
Ministry of Transport and Infrastructure  
Directorate General of Maritime Affairs



**MLC SÖZLEŞMESİ ÜZERİNE YOĞUNLAŞTIRILMIŞ DENETİM PROGRAMI**

**CONCENTRATED INSPECTION CAMPAIGN ON MLC**

(15.06.2024 – 30.11.2024)

|  |  |   |  |
|--|--|---|--|
| <b>Gemi Adı</b><br><i>Ship's Name</i>              |  | <b>IMO Numarası</b><br><i>IMO Number</i>        |  |
| <b>Denetim Tarihi</b><br><i>Date of Inspection</i> |  | <b>Denetim Limanı</b><br><i>Inspection Port</i> |  |

|    | <b>SORULAR</b><br><b>QUESTIONS</b>   | <b>EVET</b><br><b>YES</b> | <b>HAYIR</b><br><b>NO</b> | <b>U/D</b><br><b>N/A</b> | <b>TUTULMA</b><br><b>Detention</b> |
|----|--|---------------------------|---------------------------|--------------------------|------------------------------------|
| 1* | <b>Gemi insanı ve donatan/donatan temsilcisi tarafından imzalanmış iş sözleşmesinin bir nüshası gemi insanında mevcut mu?</b><br>Is the seafarer given a SEA signed by both the seafarer and the shipowner or a representative of the shipowner?   |                           |                           |                          |                                    |
| 2* | <b>Gemi insanı, gemide çalışma koşulları hakkında bilgiye ulaşabiliyor mu?</b><br>Is the seafarer able to access information regarding their employment conditions on board?   |                           |                           |                          |                                    |
| 3  | <b>Gemi insanı iş sözleşmelerinin standart formu ve Kural 5.2 uyarınca liman Devleti kontrolüne tabi olan geçerli toplu iş sözleşmelerinin bazı bölümleri İngilizce olarak mevcut mu?</b><br>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? |                           |                           |                          |                                    |
| 4* | <b>Gemi insanı iş sözleşmesi MLC 2006'da belirtilen tüm gerekleri içeriyor mu?</b><br>Does the seafarers' employment agreement include all the required elements specified in the MLC, 2006?   |                           |                           |                          |                                    |
| 5* | <b>Gemi insanı iş sözleşmesinde yer alan hususlar MLC 2006 gerekliliklerine uygun mu?</b><br>Do particulars included in the seafarers' employment agreement comply with the MLC, 2006 requirements?  |                           |                           |                          |                                    |
| 6* | <b>Gemi insanı ücret veya maaş ödemeleri aylık aralıkları geçmeyecek şekilde yapılıyor mu?</b><br>Are wage or salary payments made to the seafarer at no greater than monthly intervals?   |                           |                           |                          |                                    |

|      |   |  |  |  |  |
|------|---|--|--|--|--|
| 7*   | <b>Yapılan maaş ve ücret ödemelerine ilişkin gemi insanlarına döküman/dekont veriliyor mu?</b><br>Have seafarers been given a status of accounts and wages paid on at least a monthly basis?  |  |  |  |  |
| 8*   | <b>Aylık olarak yapılan maaş veya ücret ödemeleri toplu sözleşme veya iş sözleşmesine uygun yapılıyor mu?</b><br>Are wage or salary payments in accordance with any applicable CBA or SEA?  |  |  |  |  |
| 9*   | <b>Yapılan ödemelerde kesinti mevcutsa bu kesinti MLC 2006' ya uygun yapılıyor mu?</b><br>If payments made to a seafarer include deductions, are they in accordance to the MLC, 2006?   |  |  |  |  |
| 10a* | <b>Ölüm ve uzun süreli sakatlık tazminatı durumunda mali güvence sağlayıcısı tarafından düzenlenmiş bir sertifika veya belge gemide mevcut mu?</b> 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? |  |  |  |  |
| 10b* | <b>Gemi insanının ülkesine geri gönderilmesi durumunda, mali güvence sağlayıcısı tarafından düzenlenmiş bir mali güvence sertifikası veya belgesi gemide mevcut mu?</b><br>Is a certificate or documentary evidence of financial security, issued by the financial security provider, available on board in the event of the repatriation?        |  |  |  |  |

**Not/Note:**

**\* 1 ile 10b arasındaki sorulara HAYIR olarak cevap verilmesi halinde bu bir eksiklik kaydı olarak ön sorvey raporuna girilmelidir.**

Questions 1 to 10b answered with a "NO" MUST be accompanied by a relevant deficiency on the Report of Inspection.

**\* 3 üncü soru hariç diğer sorulara verilen HAYIR cevabı geminin tutulmasına neden olabilir.**

If the box "NO" is ticked off for questions marked with an "\*", the ship may be considered for detention.

Gemi Kaptanı  
Master

Denetim Uzmanı  
FSCO/RO Surveyor

Denetim Uzmanı  
FSCO/RO Surveyor

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## CIC ON MLC

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

|           | Questions  | 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 the 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<br>* | 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<br>* | 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**
  - The CIC on MLC was conducted during period of **September-November 2024**.
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## Guidelines for Concentrated Inspection Campaign on MLC 2024

### Contents

|   |    |
|---|----|
| <b>CIC ON MLC</b> .....   | 1  |
| <b>Guidelines for Concentrated Inspection Campaign on MLC 2024</b> .....  | 2  |
| Purpose .....   | 3  |
| References.....   | 4  |
| Inspection .....  | 4  |
| Questionnaire guidance.....   | 6  |
| Q1*: Is the seafarer given a SEA signed by both the seafarer and the shipowner or a representative of the shipowner? .....  | 6  |
| Q2* Is the seafarer able to access information regarding their employment conditions on board? .....  | 7  |
| 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?.....               | 8  |
| Q4 * Does the seafarers’ employment agreement include all the required elements specified in the MLC 2006 Standard ?.....   |    |
| Q5*: Do particulars included in the seafarers’ employment agreement comply with MLC, 2006 requirements?.....  | 10 |
| Q6*: Are wage or salary payments made to the seafarer at no greater than monthly intervals? .....   | 11 |
| Q7*: Have seafarers been given a status of accounts and wages paid on at least a monthly basis? ...   | 12 |
| Q8* Are wage or salary payments in accordance with any applicable CBA or SEA? .....   | 12 |
| Q9*: If payments made to a seafarer include deductions, are they in accordance to MLC Convention? .....   | 14 |
| 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? ..... | 15 |
| 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?.....                                 | 17 |



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## Introduction

### General

- The Maritime Labour Convention, 2006 (MLC, 2006) was adopted in 2006 and came into force in 2012. Since then, the convention has been amended several times, most recently 2018. In order to effectively enhance the conditions of the employment for seafarers, their working and living conditions, health and safety and welfare of the seafarers onboard ships, the Tokyo MOU and Paris MOU will jointly carry out a CIC for MLC, 2006. This guideline is intended to assist the PSCO in carrying out the inspections during the CIC.
- PSCO shall be proficient in the relevant provisions and guidelines of the MLC, 2006. These guidelines are not intended to be a definitive checklist. The PSCO should also use their professional judgment and knowledge of the convention requirements in conducting the inspection and eliciting responses to the questions. PSCOs should note that the MLC Convention comprises three different but related parts: the Articles, the Regulations and the Code. The Articles and Regulations set out the core rights and principles and the basic obligations of Members ratifying the Convention. The Code contains the details for the implementation of the Regulations. It comprises Part A (mandatory Standards) and Part B (non-mandatory Guidelines). Part B of the MLC Code is for guidance only and is not applicable for enforcement during a PSC inspection.
- This CIC applies to ALL ships. A ship should only be subject to **one** inspection under this CIC during the period of the campaign in the Tokyo MOU/Paris MOU regime. PSCO should check Port State Control (PSC) inspection records through THETIS and APCIS, to determine whether the MLC CIC has been previously conducted on the ship during the CIC period.
- The CIC is conducted in addition to a regular PSC inspection, irrespective of the type of inspection. In order to add not more than one hour to the regular inspection, questions should be answered on a sampling basis. If clear grounds are found, the normal PSCC procedures apply.

### Purpose

There is evidence to support that the MLC Amendments (2014, entry into force 18 Jan 2017) have not fully implemented within the TMOU/PMOU regions. These amendments include the required financial security instruments. Additionally, there have been numerous observations in both regions of shipowners not fulfilling their obligations in relation to seafarer's employment agreements (SEA) and seafarer pay.

As a result, this CIC has been instituted to highlight the importance of these obligations to the shipping industry, in response to issues identified during port State control inspections where;

- seafarers have not been employed in a manner consistent with MLC2006; and/or

- 
- the actual conditions on board do not match the SEA; and/or
  - there is evidence that the master, shipowner or representative having intentionally contravened MLC 2006 (i.e.: duplicate books or two agreements).

The purpose of this campaign on MLC, 2006 is:

- to have a better understanding of the employment conditions of seafarers for each party to the Convention and on board ships of various flags, as well as checking the arrangements made by the shipping company in the fulfillment of their obligations;
- to confirm that the SEAs, employment conditions are in conformity with the relevant provisions of MLC and the applicable requirements of the flag State;
- to confirm that seafarers serving on board receive payments in accordance with their SEA, collective bargaining agreements and with the MLC, 2006;
- to confirm that the shipowners hold the appropriate instruments of financial security for compensation of seafarer death and long term disability, as well as for repatriation of the seafarers; and
- to raise awareness of shipowners, operators and seafarers on the specific requirements that the CIC will address.

## **References**

PSCO should carefully read these guidelines before carrying out the CIC. The guidelines are intended to assist PSCO in fulfilling their duties during the CIC. In addition to these guidelines, PSCO should also refer to or be familiar with the following documents:

- [MLC, 2006](#) and MLC code, as amended,
- [Guidelines for port State control officers carrying out inspections under the Maritime Labour Convention, 2006,](#)
- [Maritime Labour Convention, \(2006\) \(MLC, 2006\), Frequently Asked Questions about the MLC, 2006, Fifth edition, 2019.](#)

## **Inspection**

The inspection must be performed in accordance with the Paris MoU procedures. The campaign does not affect the type of inspection to be conducted in accordance with the procedures. The campaign consists of a list of questions to be answered in addition to the regular inspection. Where additional information is to be sought or consulted, the PSCO is guided by the following guidance.

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In arriving at a “YES” or “NO” answer to each of the questions of the questionnaire, the following should be considered:

- Should a question be answered “NO”, a deficiency using the appropriate deficiency code listed in the guidance to the question **MUST** be used on the report of inspection Form B.
- In order to establish reliable statistics, having regards to the few number and redundant possible Convention references, **PSCOs are required** :
  - **To put the question number with two digits in bracket** each time a deficiency linked to the CIC is raised :  
Example of deficiency drafting : ” **(Q04)** shipowner’s address missing on the SEA of ...”
  - **To add manually** the Convention reference beyond the Standard level, when possible :  
Example : Standard A2.1.2**(a)** ; A2.1.4**(d)** ...
- **All questions from questionnaire marked “\*” could be considered detainable** , however a “NO” answer in the questionnaire should not automatically lead to detention of the ship. In this case, the PSCO should use his/her professional judgment to determine whether the vessel should be considered for detention. Additional guidance for detention under the MLC, 2006 may be found in section 5.2 of the ILO publication Guidelines for port State control officers carrying out inspections under the MLC, 2006.

The column “N/A” is to be used only if the question is not applicable to the ship and consequently the question cannot be answered.

**Note of attention for PSCOs** : *Attention should be paid that specific notification action should be taken by PSCOs in case of significant deficiency or deficiency in connection with complaint (to refer to PSCC52/2019/10 instruction).*

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## Questionnaire Guidance

### **Q1\*: Is the seafarer given a SEA signed by both the seafarer and the shipowner or a representative of the shipowner?**

Seafarers<sup>1</sup> must have a signed original version or copy of their seafarers' employment agreement (SEA) (or other evidence of contractual or similar arrangements) (Standard A2.1, paragraph 1(a)). These must be signed by both the seafarer and the shipowner or a representative of the shipowner.

The PSCO should check:

1. Seafarer's<sup>1</sup> working on the ship shall have a signed original SEA (or other evidence of contractual or similar arrangements). If not available on board, interview whether they are given signed original SEA (as part of more detailed inspection).
2. The SEA signed and held by the seafarer (if held on board) and that provided for inspection by the master are the same.
3. Each SEA has been signed by shipowner (or their representative) and seafarer;
4. That all SEAs are valid for the period in which the seafarer is onboard (not expired); and
5. That all SEAs held onboard are appropriate to the current positions (E.g., in the case of a C/O promoted from 2/O on board).

***Note of Attention for PSCOs:*** Attention should be paid that only a copy is required to be **accessible** on board.

Requirements:

1. Seafarers must have a signed original version or copy of their SEA signed by both the seafarer and the shipowner or shipowner's representative (or other evidence of contractual or similar arrangements) (Standard A2.1, paragraph 1(a)).
2. Seafarers are given an opportunity to examine and seek advice on the SEA before signing, then each SEA has been willingly signed by the seafarer.

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<sup>1</sup> In some cases, some workers onboard may be not recognized as Seafarers by the competent authority for the purpose of MLC (this may concern shore-based maintenance technicians onboard for repair and maintenance). In the event of doubt as to whether any categories of persons are to be regarded as seafarers for the purpose of this Convention, the question shall be determined by the competent authority in each Member after consultation with the shipowners' and seafarers' organizations concerned with this question (MLC Article II/3).

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Convention Reference: MLC 2006/Std.A2.1.1

Deficiency code: 01220 – Seafarer’s employment agreement SEA

Suggested Action: 17

**Q2\* Is the seafarer able to access information regarding their employment conditions on board?**

Measures shall be taken to ensure that clear information as to the conditions of the seafarers’ employment can easily be obtained onboard by the seafarers, including the ship’s master (Standard A2.1, paragraph 1(d)). This may include collective bargaining agreements (CBA) stipulated in the SEA (Standard A2.1, paragraph 2).

The PSCO should check:

1. In case of clear ground, may conduct private interview with seafarers, to confirm they know how to access information about their employment;
2. Original or copy of SEA which has been signed by shipowner or shipowner’s representative and seafarer, available onboard;
3. Where a CBA forms all or part of a SEA, a copy of that agreement shall be available on board;
4. The Maritime Labour Certificate and DMLC I & II are displayed in a conspicuous place accessible to the Seafarers. Where these documents are not in English, the display is to be accompanied by an English translation (Standard A5.1.3, paragraph 12).
5. Reference to legislation (noting that the DMLC often refers to national legislation/laws); and
6. The latest version of SEA is held on board (confirm the column of Rank, terms of contract, wages, etc. should be updated.)

Requirements:

1. Measures shall be taken to ensure that clear information as to the conditions of the seafarers’ employment can easily be obtained onboard by the seafarers, including the ships master. This may include CBA stipulated in the SEA.

Deficiency code: 01220 - Seafarer’s employment agreement (SEA)

01331 – Collective Bargaining Agreement

01139 – Maritime Labour Certificate

01140 – DMLC (part I & part II)

Convention Reference: MLC 2006/Std.A2.1.1(d)  
 MLC 2006/Std.A2.1.3  
 MLC 2006/Std.A5.1.3.12  
 Suggested Action: 17

**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?**

Where a CBA forms all or part of a SEA, a copy of that agreement shall be available on board.

Where the language of the SEA and any applicable CBA is not in English, the following shall also be available in English (except for ships engaged only in domestic voyages):

- (a) A copy of a standard form of the agreement; and
- (b) The portions of the CBA that are subject to a port State control inspection under Regulation 5.2.

**1<sup>st</sup> Note of Attention for PSCOs:** *The relevant areas of the CBA referred to under Regulation 5.2 are those related to the 16 areas specified in Appendix A5-III of MLC 2006. These are the same as those applicable to flag State certification under Appendix A5-I.*

**2<sup>nd</sup> Note of Attention for PSCOs:** *It should be noted that while this CIC question is generally not grounds for a detention, in a situation where the SEA / CBA is not in English, and not in a language understood by the seafarers onboard, a detention may be appropriate in some cases.*

The PSCO should check:

1. Any SEA provided to a seafarer is available in English.
2. The relevant areas of any CBA are available in English.

Requirements:

1. Where the language of the SEA and the relevant areas of any applicable CBA is not in English, the SEA and CBA shall also be available in English (Standard A2.1 paragraph 2).

Convention Reference: MLC 2006/Std.A2.1.2

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Deficiency Code:                   01220 – Seafarer’s employment agreement SEA  
   01331 – Collective Bargaining Agreement

Suggested Action:                17

**Q4\* Does the seafarers’ employment agreement include all the required elements specified in the MLC, 2006?**

The SEA (and relevant parts of a CBA where these form part of the SEA) must, at a minimum, contain the matters set out in Standard A2.1, paragraph 4(a)–(k) of the MLC, 2006 (Standard A2.1, paragraph 4).

The PSCO should check:

1. The SEA includes all of the particulars specified in standard A2.1, paragraph 4 (below in requirements). This Control should be done on a sampling basis;
2. The seafarer’s SEA is consistent with DMLC parts I and II;
3. The SEA does not contain any clauses that violates seafarer’s rights; and
4. In the event that more than one type of standard forms of SEAs are found on board (eg. several nationalities of seafarers are working on the vessel), the PSCO may control at least 1 SEA per type of standard form.

Requirements:

1. The SEA must incorporate the following information, at a minimum:
  - a. the seafarer’s full name, date of birth or age, and birthplace;
  - b. the shipowner’s name and address;
  - c. the place where and date when the SEA is entered into;
  - d. the capacity in which the seafarer is to be employed;
  - e. the amount of the seafarer’s wages or, where applicable, the formula used for calculating them;
  - f. the amount of paid annual leave or, where applicable, the formula used for calculating it;
  - g. the termination of the agreement and the conditions thereof, including:
    - (i) if the agreement has been made for an indefinite period, the conditions entitling either party to terminate it, as well as the required notice period, which shall not be less for the shipowner than for the seafarer;
    - (ii) if the agreement has been made for a definite period, the date fixed for its expiry; and
    - (iii) if the agreement has been made for a voyage, the port of destination and the

- time which has to expire after arrival before the seafarer should be discharged;
- h. the health and social security protection benefits to be provided to the seafarer by the shipowner;
  - i. the seafarer's entitlement to repatriation;
  - j. reference to the collective bargaining agreement, if applicable; and
  - k. any other particulars which national law may require.

Deficiency Code: 01220 - Seafarer's employment agreement (SEA)

Convention Reference: MLC 2006 Std.A2.1.4(a-k)

Suggested Action: 17

**Q5\*: Do particulars included in the seafarers' employment agreement comply with the MLC, 2006 requirements?**

This question is directed at ensuring that the particulars in each required section of a seafarers' SEA are in compliance with the MLC, 2006, and the DMLC part I and II.

The PSCO should check:

1. Check the particulars (b) (shipowner's details), (f) (amount of paid annual leave), (i) (seafarer's entitlement to repatriation), and (j) (reference to any CBA) included in the SEA comply with the MLC, 2006 requirements; and
2. Take into account any "substantial equivalence" established by the competent authority, in accordance with Article VI, paragraph 3 & 4, of the Convention, by consulting DMLC part I.

Requirements:

1. The shipowner's name and address: the shipowner is the MLC shipowner. Reference shall be consistent with the one as defined per the MLC, 2006 and recorded on the MLC Certificate. Any reference in the SEA to another company, e.g. legal shipowner, employer or manning agent, possibly supported by an agreement between these companies, is not acceptable as fulfilment of the requirement in standard A2.1, paragraph 4(b). An agreement between individual companies is not part of the SEA between the shipowner and the seafarer.
2. The amount of paid leave or, where applicable, the formula for calculating them: the annual leave with pay entitlement shall be calculated on the basis of a minimum of 2.5 calendar days per month of employment.
3. The seafarer's entitlement to repatriation:

The circumstances where the seafarers are entitled to repatriation shall be at least the following:



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- (a) if the SEA expires while they are abroad;
  - (b) when the SEA is terminated:
    - i. by the shipowner ; or
    - ii. by the seafarer for justified reasons, and also ;
  - (c) when the seafarers are no longer able to carry out their duties under their employment agreement or cannot be expected to carry out them in the specific circumstances

Such circumstances shall be included in the SEA or the CBA when it forms all or part of the SEA.

4. Reference to the CBA, if applicable: the CBA which is referred to in the SEA shall be the correct one.

Deficiency Code: 01220 - Seafarer's employment agreement SEA

Convention Reference: MLC 2006 Std.A2.4.2  
MLC 2006 Std.A2.5.1  
Appendix A5-II Maritime Labour Certificate

Suggested Action: 17

**Q6\*: Are wage or salary payments made to the seafarer at no greater than monthly intervals?**

Seafarers must be paid at no greater than monthly intervals for their work in accordance with their employment agreements (Standard A2.2 paragraph 1).

To check compliance for this question, The PSCO should check the following, on a sampling basis :

1. The SEA and documentation, such as the payroll records, to confirm that wages are being paid at intervals no greater than one month as specified in their SEA and in accordance with any relevant collective agreements;
2. In case of clear grounds, a PSCO may conduct private interviews with seafarers to confirm compliance with requirements on the payment of wages on a monthly basis; and
3. In case of clear grounds, ensure that only one set of wage payment accounts are in use.

Requirements:

1. Seafarers must be paid at intervals not to exceed one month and in accordance with any collective agreement.

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Deficiency code: 18203 – Wages  
18204 – Non-payment of wages

Convention Reference: MLC 2006, Std.A2.2.1

Suggested Action: 99/17

**Q7\*: Have seafarers been given a status of accounts and wages paid on at least a monthly basis?**

Seafarers are entitled to an account each month indicating their monthly wage and any authorized deductions such as allotments.

The PSCO should check:

1. Relevant documents to confirm the payment of wages including the requirement that a monthly account (such as a wage slip) is provided to the seafarers. Copies of individual accounts should be available to PSCOs at their request.
2. In case of clear grounds, a PSCO may conduct private interviews with seafarers to determine if wage slips and status of accounts have been received.
3. The rate of exchange used where payment has been made in a different currency or at a rate different from the one agreed is in the monthly account or a wage slip.

Requirements:

1. Seafarers are entitled to an account each month indicating their monthly wage and any authorized deductions such as allotments.

Deficiency Code: 18203 – Wages

Convention Reference: MLC 2006, Std.A2.2.2

Suggested Action: 17

**Q8\* Are wage or salary payments in accordance with any applicable CBA or SEA?**

All seafarers shall be paid for their work regularly and in full in accordance with their employment agreements.

In addition to basic wage or salary payments, the CBA and/or SEA should also include reference to any

additional consolidated wage payments (such as payments for overtime worked, bonuses, allowances, paid leave, or additional remunerations) for which the contract requires.

To check compliance for this question, the PSCO should check the following, on a sampling basis:

1. The SEA and documentation, such as the payroll records to confirm that wages are being paid to the seafarer as specified in their SEA or relevant CBAs.
2. Wages paid against recorded work / rest hours for comparison to base wages / overtime payments. In order to confirm the wages expected to be paid, a PSCO may check:
  - a. DMLC Part I and II
  - b. Any applicable CBA
3. Copies of individual accounts should be available to PSCOs at their request.
4. Relevant documents to confirm the payment of wages, including the requirement that a monthly account (such as a wage slip) is provided to the seafarers.
5. Seafarers are paid in accordance with the SEA and/or applicable CBA : the calculation of the payments due, including wages and additional payments, may be based on a "first sight" approach consisting of an estimate from the data provided to or collected by the PSCO which may not correspond exactly with the amounts paid, provided that it remains close to the estimate and that no further complaint be raised by the seafarer.
6. In case of clear grounds, a PSCO may conduct interviews with seafarers to confirm compliance with requirements on the payment of wages.

Requirements:

1. Each Member shall require that payments due to seafarers working on ships that fly its flag in accordance with any applicable collective agreement.
2. Seafarers shall be given a monthly account of the payments due and the amounts paid, including wages, additional payments and the rate of exchange used where payment has been made in a currency or at a rate different from the one agreed to.

Deficiency Code:           18203 – Wages  
                                       18204 – Non-payment of wages

Convention Reference:    MLC 2006, Std.A2.2.1;  
                                       MLC 2006, Std.A2.2.2

Suggested Action:         17

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**Q9\*: If payments made to a seafarer include deductions, are they in accordance to the MLC, 2006?**

Seafarers should have a reliable system to be able to transmit their earnings to their families or dependants or legal beneficiaries. These deductions for remittance should be expressly provided for the national law and CBA.

No unauthorized deductions should be taken from any seafarer.

The PSCO should check:

1. Relevant documents showing deductions from the seafarer's salary, with confirmation from the seafarer of receipt of the indicated amount.
2. Evidence of charges for transportation costs to and from the ship for the purposes of their employment on board are not deducted from wage payment accounts.
3. Relevant documents showing service charges and exchange rates applied to any remittances made to the seafarers' families or dependents or legal beneficiaries at their request.
4. Any remittance of pay to a seafarer's family or dependant or legal beneficiary is accounted for and received.

Requirements:

1. Noting Standard A2.2.6, under Guideline B2.2.2.4(h) deduction from remuneration should be permitted only if:
  - (i) there is an express provision in national laws or regulations or in an applicable collective agreement and the seafarer has been informed, in the manner deemed most appropriate by the competent authority, of the conditions for such deductions; and
  - (ii) the deductions do not in total exceed the limit that may have been established by national laws or regulations or collective agreements or court decisions for making such deductions;
2. Noting Standard A2.2.6, under Guideline B2.2.2.4(i) no deductions should be made from a seafarer's remuneration in respect of obtaining or retaining employment, such as payments for travel to or from the ship, may be charged to the seafarer.
3. Under Standard A2.2.3 and A.2.2.4 seafarers shall be able to transmit their earnings to their families including:
  - (a) a system for enabling seafarers, at the time of their entering employment or during it, to allot, if they so desire, a proportion of their wages for remittance at regular intervals to their families by bank transfers or similar means; and
  - (b) a requirement that allotments should be remitted in due time and directly to the person or persons nominated by the seafarers.

4. Under Standard A2.2.5, any charge for the service under paragraph 3 and 4 of Standard A2.2 shall be reasonable in amount, and the rate of currency exchange, unless otherwise provided, shall, in accordance with national laws or regulations, be at the prevailing market rate or the official published rate and not unfavourable to the seafarer.
5. Noting Standard A2.2.6, under Guideline B2.2.2.4(j) monetary fines against seafarers other than those authorized by national laws or regulations, collective agreements or other measures should be prohibited.

|                       |   |
|-----------------------|---|
| Deficiency code:      | 18203 – Wages<br>18204 – Non-payment of wages<br>18205 – Measures to ensure transmission to seafarer’s family |
| Convention Reference: | MLC 2006, Std.A2.2.1<br>MLC 2006, Std.A2.2.3<br>MLC 2006, Std.A2.2.4<br>MLC 2006, Std.A2.2.6                  |
| Suggested Action:     | 17  |

**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?**

Ships shall carry on board a certificate or other documentary evidence of financial security to ensure that seafarers are protected from the financial consequences of sickness, injury or death occurring in connection with their employment.

A copy shall be posted in a conspicuous place on board where it is available to the seafarers.

Where more than one financial security provider provides cover, the document provided by each provider shall be carried on board.

The certificate or other documentary evidence of financial security shall contain the information required in Appendix A4-I of MLC 2006. It shall be in English or accompanied by an English translation.

***Note of Attention for PSCOs:*** *The requirements for evidence of financial security as detailed in Appendix A2-1 and A4-1 both require the document to include the name of the shipowner. The 110<sup>th</sup> session of the ILC (International Labour Conference) agreed this should be amended to be either the name of the shipowner, or registered owner (operator) if different to the shipowner. These changes will come into effect on 23 December 2024 but will be applied for the purpose of this CIC.*

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The PSCO should check:

1. Certificate(s) or other documentary evidence of financial security, for compensation in the event of death and long-term disability, which is valid (unexpired) and in full effect;
2. Certificate of financial security is posted conspicuously on board and available to all seafarers;
3. Certificate(s) or other documentary evidence of financial security contains the information required in Appendix A4-I of the Maritime Labour Convention, 2006 (see point .2 of the below requirements);
4. Certificate(s) or other documentary evidence of financial security is/are in English or accompanied by an English translation.

Requirements:

1. Each Member shall adopt laws and regulations requiring that shipowners of ships that fly its flag are responsible for health protection and medical care of all seafarers working on board the ships in accordance with the following minimum standards:
  - (a) shipowners shall be liable to bear the costs for seafarers working on their ships in respect of sickness and injury of the seafarers occurring between the date of commencing duty and the date upon which they are deemed duly repatriated, or arising from their employment between those dates;
  - (b) shipowners shall provide financial security to assure compensation in the event of the death or long-term disability of seafarers due to an occupational injury, illness or hazard, as set out in national law, the seafarers' employment agreement or collective agreement;
  - (c) shipowners shall be liable to defray the expense of medical care, including medical treatment and the supply of the necessary medicines and therapeutic appliances, and board and lodging away from home until the sick or injured seafarer has recovered, or until the sickness or incapacity has been declared of a permanent character; and
  - (d) shipowners shall be liable to pay the cost of burial expenses in the case of death occurring on board or ashore during the period of engagement.
2. The certificate or other documentary evidence referred to in Standard A2.5.2 (evidence of financial security under paragraph 2.5.2) paragraph 7, shall include the following information:
  - (a) name of the ship;
  - (b) port of registry of the ship;
  - (c) call sign of the ship;
  - (d) IMO number of the ship;
  - (e) name and address of the provider or providers of the financial security;

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- (f) contact details of the persons or entity responsible for handling seafarers' requests for relief;
  - (g) name of the shipowner, or registered owner if not the same as the shipowner (see note above);
  - (h) period of validity of the financial security; and
  - (i) an attestation from the financial security provider that the financial security meets the requirements of Standard A4.2.1.

Deficiency code: 01337 - Certificate or Documentary evidence of financial security relating to shipowners' liability

Convention Reference: MLC 2006, Std. A4.2.1.11

Suggested Action: 17

**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?**

Financial security apply to all ships (Regulation 2.5.2).

However, only ships to which paragraph 1 or 2 of Regulation 5.1.3 applies, shall carry on board a certificate or other documentary evidence of financial security meeting the requirements of Standard A2.5.2 and issued by the financial security provider.

Where requested, a copy shall be posted in a conspicuous place on board where it is available to the seafarers.

Where more than one financial security provider provides cover, the document provided by each provider shall be carried on board.

The certificate or other documentary evidence of financial security shall contain the information required in Appendix A2-I. It shall be in English or accompanied by an English translation.

***Note of attention for PSCOs :*** *The requirements for evidence of financial security as detailed in Appendix A2-1 and A4-1 of MLC 2006 both require the document to include the name of the shipowner. The 110<sup>th</sup> session of the ILC (International Labour Conference) agreed this should be amended to be either the name of the shipowner, or registered owner (operator) if different to the shipowner. These changes will come into effect on 23 December 2024 but will be applied for the purpose of this CIC.*

The PSCO should check:

1. Certificate(s) or other documentary evidence of financial security, for the repatriation of

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- seafarers, where requested, is valid (unexpired) ;
2. Certificate of financial security is posted conspicuously on board and available to all seafarers;
  3. Certificate(s) or other documentary evidence of financial security does not contain the information required in Appendix A2-I (see below); and
  4. Certificate(s) or other documentary evidence of financial security is/are in English or accompanied by an English translation.

Requirements:

The certificate or other documentary evidence referred to in Standard A2.5.2 (evidence of financial security under paragraph 2.5.2) paragraph 7, shall include the following information:

- (a) name of the ship;
- (b) port of registry of the ship;
- (c) call sign of the ship;
- (d) IMO number of the ship;
- (e) name and address of the provider or providers of the financial security;
- (f) contact details of the persons or entity responsible for handling seafarers' requests for relief;
- (g) name of the shipowner;
- (h) period of validity of the financial security; and
- (i) an attestation from the financial security provider that the financial security meets the requirements of Standard A2.5.2.

Deficiency code: 01336 - Certificate or documentary evidence of financial security for repatriation

Convention Reference: MLC 2006, Std. A2.5.2.7

Suggested Action: 17

\* Ground for detention where a certificate or a documentary evidence of financial security is requested to be held on board.