



# The London P&I Club

All correspondence should be addressed to the Managers

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25 November 2016

## TO ALL MEMBERS

Dear Sirs

### **Maritime Labour Convention 2006 as amended (MLC) – Applications for MLC Certificates**

Reference is made to the Association's Circular [5:536](#) regarding the financial security requirements under the amendments to the Maritime Labour Convention 2006 (MLC) which come into effect on 18 January 2017. The purpose of this Circular is to advise Members of arrangements for their applications to the Association for issuance of the required MLC Certificates.

To enable the Association to issue MLC Certificates, Members should complete and sign the attached application form, which can also be accessed via the Association's website [here](#). The application forms should then be sent to the Member's usual underwriting contact at the Association or to: [underwriting@londonpandi.com](mailto:underwriting@londonpandi.com).

The MLC Certificates will be sent to Members in PDF format based on the wordings attached to Circular 5:536 and available from the MLC section of the Association's website.

Members are advised that MLC Certificates cannot be issued until any outstanding amounts due to the Association in respect of calls, premiums or otherwise have been settled.

Following issuance by the Association, Members should then print the MLC Certificates and ensure that they are posted in a conspicuous place on board the relevant entered Ship, where they are available to seafarers by no later than 18 January 2017. There is no need to apply for State issued Certificates; although some States may require shipowners to supply copies of the Certificates for their records.

Members are reminded that further information on the MLC amendments is contained in the IG FAQs for Members which can be accessed [here](#).

Yours faithfully  
A BILBROUGH & CO LTD  
(MANAGERS)

5:538

## MLC CERTIFICATES

**Application for Certificates of Financial Security under Regulation 2.5.2 Standard A2.5.2 and Regulation 4.2, Standard A4.2.1 paragraph 1 (b) of the Maritime Labour Convention 2006 (as amended) (“MLC Certificates”) pursuant to the Maritime Labour Convention Extension Clause 2016 (“MLC Extension Clause 2016”)**

**SHIP NAME(S)**

IMO Number(s)

### Period of Validity of MLC Certificates

Choose **one** of the following Options:

#### OPTION A

We request you to issue MLC Certificates for the period 18 January 2017 to noon GMT on 20 February 2018

#### OPTION B

We request you to issue MLC Certificates for the period 18 January 2017 to noon GMT on 20 February 2017

#### OPTION C

We request you to issue MLC Certificates for the period noon GMT on 20 February 2017 to noon GMT on 20 February 2018

**Explanation:** *Option A should be used by members who have renewed or intend to renew their entry for the above ship(s) with the Association for the 2017/2018 policy year.*

*Option B should be used by members who do not intend to renew the entry with the Association for the 2017/2018 policy year.*

*Option C should be used by members who intend to enter the above ship(s) as a new entry with the Association for the 2017/2018 policy year.*

### Undertakings

1. We hereby undertake and agree that in consideration of the Association agreeing to issue MLC Certificates at our request:
  - (a) We and all Co-assureds will be bound by the terms of the MLC Extension Clause 2016 which is deemed incorporated herein<sup>1</sup>; and
  - (b) where any payment by the Association under any MLC Certificates is in respect of war risks, we will indemnify the Association to the extent that such payment is recoverable under the Member’s P&I war risks policy, or would have been recoverable if the Member had maintained and complied with the terms and conditions of a standard P&I war risks insurance policy; and

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<sup>1</sup> A copy of the MLC Extension Clause 2016 is to be found on the Association’s website

## **MLC CERTIFICATES (Continued)**

- (c) to assign to the Association all the rights of the Member under any social security scheme, or other insurance or national fund or other similar arrangement where such scheme, insurance, national fund or arrangement applies in respect of all or any liabilities arising under the MLC Certificates; and
  - (d) 30 days from a notice to the Flag State of the termination thereof we shall take all necessary steps to remove the MLC Certificates and any copies thereof from the Ship(s) and return them to the Association.
2. If we request MLC Certificates under Options A and/or C prior to entry in the Association of the above Ship(s) being concluded for the 2017/2018 policy year, we further undertake that, in consideration of the Association providing upon our request MLC Certificates for a period including the 2017/2018 policy year in order to ensure that such Ships are able to trade without delay and without the risk of penalties or fines for failing to satisfy MLC Certification requirements:
- (a) it is our intention to enter the above Ship(s) in the Association or in another Association in the International Group of P&I Associations for the 2017/2018 policy year; and
  - (b) if we do not effect such entry we will indemnify the Association and hold it harmless in respect of any and all liabilities, losses, damages, risks, costs or expenses which it may suffer or incur under MLC or implementing domestic legislation as a direct or indirect consequence of issuing the MLC Certificates.

The above undertakings shall be governed by and construed in accordance with English law and any claim, dispute, legal action or proceeding arising out of or in connection with this letter of undertaking shall be subject to the exclusive jurisdiction of the High Court of Justice in London

Dated:

Signed by Member on behalf of the Member and all Co-assureds

(if not signed by Member must be signed by authorised signatory of Member)